
Chapter 6

Juvenile courts and juvenile crime

Law enforcement agencies refer approximately two-thirds of all youth arrested to a court with juvenile jurisdiction for further processing. As with law enforcement, the court may decide to divert some juveniles away from the formal justice system to other agencies for service. Prosecutors may file some juvenile cases directly in criminal (adult) court. The net result is that juvenile courts formally process over 1 million delinquency and status offense cases annually. Juvenile courts adjudicate these cases and may order probation or residential placement, or they may waive jurisdiction and transfer certain cases from juvenile court to criminal court. While their cases are being processed, juveniles may be held in secure detention.

This chapter quantifies the flow of cases through the juvenile court system. It documents the nature of, and trends in, cases received and the court's response, and examines

race and gender differences. The chapter also presents data from the Bureau of Justice Statistics (BJS) quantifying and describing juvenile involvement with State criminal courts, including offense, disposition, and sentencing characteristics. The chapter also describes studies funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) that explore the characteristics and outcomes of cases transferred to criminal court in Florida, Pennsylvania, South Carolina, and Utah.

The case processing information presented in this chapter is drawn from the National Juvenile Court Data Archive's primary publication *Juvenile Court Statistics*, which is funded by OJJDP. Data on cases involving juveniles transferred to criminal court are from BJS's State Court Processing Statistics, National Judicial Reporting Program, and National Survey of Prosecutors.

What the Juvenile Court Statistics series can tell us about the activities of juvenile courts in the U.S.

Juvenile courts have contributed data to a national reporting program since the late 1920's

The *Juvenile Court Statistics* series is the primary source of information on the activities of the Nation's juvenile courts. The first *Juvenile Court Statistics* report, published in 1929 by the Children's Bureau of the U.S. Department of Labor, described cases handled in 1927 by 42 courts. In the 1950's, the U.S. Department of Health, Education and Welfare took over the work, and in 1974, the newly established Office of Juvenile Justice and Delinquency Prevention (OJJDP) took on the project. Since 1975, the National Center for Juvenile Justice (NCJJ) has been responsible for this OJJDP project.

Throughout its history, the *Juvenile Court Statistics* series has depended on the voluntary support of courts with juvenile jurisdiction. Courts contribute data originally compiled to meet their own information needs. The data received are not uniform, but reflect the natural variation that exists across court information systems. To develop the national estimates, NCJJ restructures compatible data into a common reporting format. In 1996, juvenile courts with jurisdiction over 96% of the U.S. juvenile population contributed data to the national reporting program. Because not all contributed data can support the national reporting requirements, the national estimates for 1996 were based on data from more than 1,770 jurisdictions containing 67% of the Nation's juvenile population (i.e., youth age 10 through the upper age of original juvenile court jurisdiction in each State).

The Juvenile Court Statistics series documents the number of cases handled by courts

Just as the FBI's Uniform Crime Reporting Program counts each arrest made by law enforcement (i.e., a workload measure, not a crime measure), the *Juvenile Court Statistics* series counts delinquency and status offense cases handled by courts with juvenile jurisdiction during the year. Each case represents a new referral to juvenile court for one or more offenses. A youth may be involved in more than one case in a year. Therefore, the *Juvenile Court Statistics* series does not provide a count of individual juveniles brought before juvenile courts.

Cases involving multiple charges are categorized by their most serious offense

In a single case where a juvenile is charged with robbery, simple assault, and a weapons law violation, the case is counted as a robbery case (a classification approach paralleling the FBI Uniform Crime Reporting Program's hierarchy rule). Thus, the *Juvenile Court Statistics* series does not provide a count of the number of crimes committed by juveniles. In addition, given that only the most serious offense is reported, counts of—and trends for—less serious offenses must be interpreted cautiously.

Similarly, cases are categorized by their most severe or restrictive disposition. For example, a case in which the judge orders the youth to a training school and to pay restitution to the victim would be characterized as a case in which the juvenile was placed in a residential facility.

Juvenile Court Statistics reports the volume and characteristics of delinquency and status offense caseloads

The *Juvenile Court Statistics* series provides annual estimates of the number of delinquency and formally processed status offense cases handled by juvenile courts. The reports provide demographic profiles of the youth referred and the reasons for the referrals (offenses). The series documents the juvenile courts' petition, detention, adjudication, and disposition decisions. The series is also able to identify trends in the volume and characteristics of court activity.

The series does not provide national estimates of the number of youth referred to court, their prior court histories, or their future recidivism. The series was designed to produce national estimates of court activity, not to describe the law-violating careers of juveniles.

Nevertheless, given the diversity in the data files contributed to the *Juvenile Court Statistics* series, different subsets of contributed data can be created to study many issues, such as the court careers of juvenile offenders, racial disparity in system processing, and jurisdictional variations in case processing. Care should be exercised, however, when interpreting gender, age, or racial differences in the analysis of juvenile delinquency cases, because reported statistics do not control for the seriousness of the behavior leading to each charge or the extent of a youth's court history.

The majority of law violation cases handled in juvenile court are referred by law enforcement

Most, but not all, delinquency cases seen in the juvenile court are referred by law enforcement

Delinquency cases are referred to juvenile courts from a number of different sources, including law enforcement, social service agencies, schools, parents, probation officers, and victims. In 1996, the large majority (86%) of delinquency cases were referred to court intake by law enforcement agencies. This proportion has changed little over the past decade.

Percent of delinquency cases referred to juvenile court by law enforcement agencies in 1996:

Total delinquency	86%
Murder	96
Burglary	95
Robbery	95
Motor vehicle theft	94
Drugs	93
Shoplifting	92
Aggravated assault	91
Weapons	91
Vandalism	90
Forcible rape	90
Disorderly conduct	87
Simple assault	83
Escape	67
Obstruction of justice	36
Probation violation	13

Nonpolice sources referred nearly 2 out of 10 simple assault cases.

Youth charged with escape, obstruction of justice, and probation violation are generally under the jurisdiction of the court when the offense occurs, so these matters are often brought to the court's attention by court personnel.

Status offense cases are often referred by sources other than law enforcement

In sharp contrast to delinquency cases, law enforcement agencies referred fewer than half of the formally processed status offense (non-criminal) cases in 1996. Although law enforcement agencies remain the most common referral source overall, there were substantial variations among offenses. Truancy cases most often were brought to the attention of the courts by school personnel, while a large proportion of ungovernability cases were referred by parents. Although status liquor law violations (underage drinking, illegal purchase of alcohol) are considered status offenses, they have many of the processing characteristics of delinquency offenses, including referral source.

Percent of formally processed status offense cases referred to juvenile court by law enforcement agencies in 1996:

Total status offense	48%
Running away	37
Truancy	10
Ungovernability	12
Status liquor violation	93

Juvenile criminal history records are often used by prosecutors

A juvenile's record of law enforcement and juvenile justice system contacts routinely follows the juvenile into the criminal justice system. The 1994 National Prosecutors Survey conducted by the Bureau of Justice Statistics found that 82% of prosecutor offices in the U.S. reported using juvenile delinquency or court history records in felony prosecutions.

Of these offices, 90% had used disposition records, 76% had used arrest records, and 69% had used probation reports. Prosecutors used juvenile records during pretrial negotiations (82%) and at the sentencing stage of felony prosecutions (86%). Juvenile delinquency or court history records were also used when filing charges (55%), at bail hearings (46%), and during trial (53%). Delinquency records were often used when transferring a juvenile to criminal court (80%).

Most prosecutor offices acquired the juvenile history information from their own office (72%). A high proportion also used information maintained by local police agencies (69%) and the courts (68%). Fewer offices accessed State criminal history repositories (57%) or records maintained by the FBI (42%).

Prosecutors noted difficulties in using these records. Half of the prosecutor offices using juvenile history records criticized their lack of completeness. The confidentiality restrictions often placed on a juvenile's records were viewed as a problem by 46% of offices. Lack of accuracy and timeliness were mentioned as problems by fewer offices (34% and 28%, respectively).

Juvenile courts handled 1.8 million delinquency cases in 1996—1,600 more cases each day than in 1987

U.S. juvenile courts handle 4,800 delinquency cases each day

In 1996, U.S. courts with juvenile jurisdiction handled an estimated 1.8 million cases in which the juvenile was charged with a delinquency offense—an offense for which an adult could be prosecuted in criminal court.

An individual juvenile may be involved in more than one case during the year. The annual ratio of cases to juveniles is about 3 to 2. Therefore, juvenile courts handled about 1.2 million individual juveniles charged with delinquency offenses in 1996.

Juvenile court workloads have grown and changed

Changes in the juvenile court delinquency caseload in recent years have strained the court's resources and programs. The 49% increase between 1987 and 1996 in the volume of cases handled by juvenile courts placed stress on the system. The courts were asked to respond not only to more cases, but also to a different type of caseload.

From 1987 through 1996, the juvenile courts saw a disproportionate increase in violent and other person offense, weapons, and drug offense cases. Person offenses rose from 16% to 22% of delinquency cases, aggravated assault rose from 3% to 5%, simple assault rose from 9% to 12%, and drug cases rose from 6% to 10%. Other offenses' share of the delinquency caseload declined: property crimes (60% to 50%), burglary (11% to 8%), and larceny-theft (28% to 24%). Courts have had to adapt their program resources accordingly.

Youth were charged with a property offense in half of the delinquency cases handled by juvenile courts in 1996

Most serious offense	Number of cases	Percent of total cases	Percent change 1987–1996
Total delinquency	1,757,600	100%	49%
Person offenses	381,500	22	100
Criminal homicide	2,400	<1	74
Forcible rape	6,900	<1	60
Robbery	37,300	2	67
Aggravated assault	89,900	5	135
Simple assault	216,600	12	106
Other violent sex offenses	8,900	1	39
Other person offenses	19,400	1	51
Property offenses	874,400	50	23
Burglary	141,100	8	6
Larceny-theft	421,600	24	27
Motor vehicle theft	51,600	3	7
Arson	8,900	1	49
Vandalism	119,800	7	39
Trespassing	65,000	4	18
Stolen property offenses	32,900	2	6
Other property offenses	33,400	2	57
Drug law violations	176,300	10	144
Public order offenses	325,400	19	58
Obstruction of justice	125,800	7	70
Disorderly conduct	90,200	5	95
Weapons offenses	41,200	2	109
Liquor law violations	10,300	1	-44
Nonviolent sex offenses	10,600	1	-17
Other public order offenses	47,300	3	40
Violent Crime Index*	136,600	8	106
Property Crime Index**	623,300	35	20

■ Juvenile court caseloads increased 49% between 1987 and 1996. The juvenile population increased only 11% in that time.

■ Although a substantial portion of the growth in court referrals is related to arrests, changes in juvenile court caseloads are also dependent on other forces. Between 1987 and 1996, the overall growth in juvenile court cases (49%) was greater than the growth in arrests of persons under age 18 (35%). During the same period, Violent Crime Index arrests rose 60%, arrests for Property Crime Index offenses rose 8%, and drug arrests rose 133%.

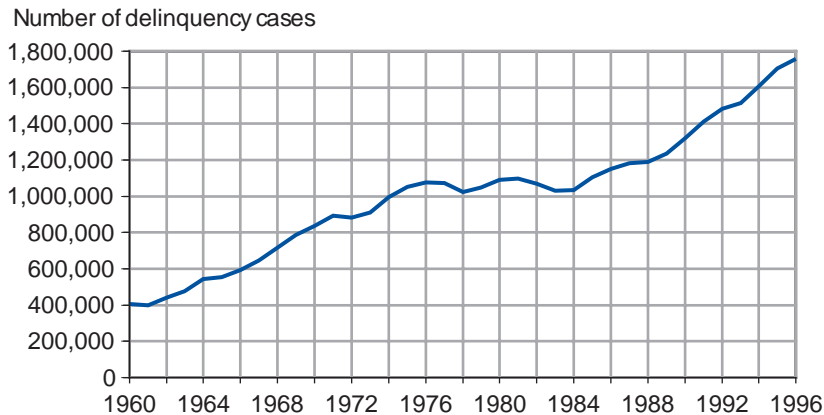
*Includes criminal homicide, forcible rape, robbery, and aggravated assault.

**Includes burglary, larceny-theft, motor vehicle theft, and arson.

Note: Detail may not add to totals because of rounding. Percent change calculations are based on unrounded numbers.

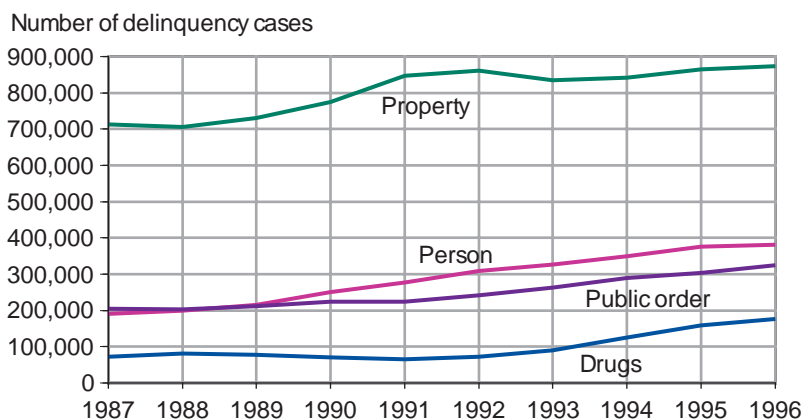
Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

Juvenile courts handled more than four times as many delinquency cases in 1996 as in 1960



Source: Authors' analyses of *Juvenile court statistics* for the years 1960 through 1984 and Snyder et al.'s *Easy access to juvenile courts statistics* [data presentation and analysis package] for the years 1985–1994, 1986–1995, and 1987–1996.

Caseloads steadily increased between 1987 and 1996 across all four general offense categories



Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

Within “aggravated assault” and “robbery,” there is a range of offense seriousness

Aggravated assault—Unlawful intentional infliction of serious bodily injury or unlawful threat or attempt to inflict bodily injury or death by means of a deadly or dangerous weapon with or without actual infliction of any injury. Aggravated assault includes the following situations:

- A gang attempts to kill a rival gang member in a drive-by shooting, but he survives the attack.
- A son fights with his father, causing injuries that require treatment at a hospital.
- A student raises a chair and threatens to throw it at a teacher, but does not.

Robbery—Unlawful taking or attempted taking of property that is in the immediate possession of another person by force or threat of force. Robbery includes the following situations:

- Masked gunmen with automatic weapons demand cash from a bank.
- A gang of young men beat up a tourist and steal his wallet and valuables.
- A school bully says to another student, “Give me your lunch money, or I’ll punch you.”

Juveniles in all age groups contributed to increases in delinquency caseloads between 1987 and 1996

Delinquency case rates rose substantially between 1987 and 1996 for most age groups

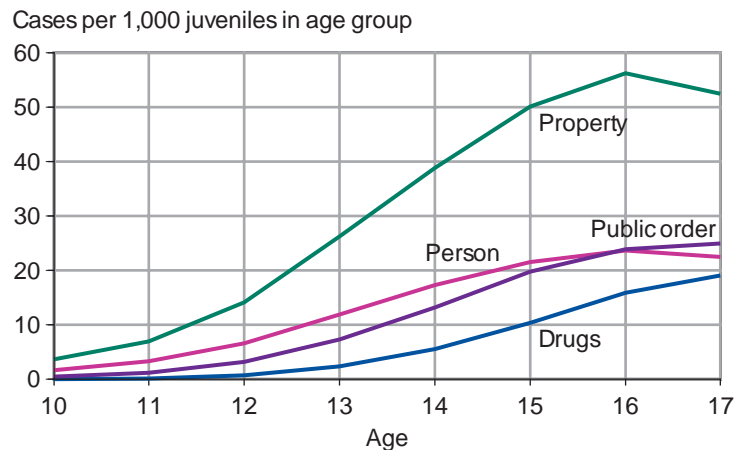
In 1996, juvenile courts handled 61.8 delinquency cases for every 1,000 juveniles (youth subject to original juvenile court jurisdiction) in the U.S. population. The 1996 delinquency case rate was 34% greater than the 1987 rate. For all but the youngest age groups, delinquency case rates showed similar increases. The greatest increase was found for 15-year-olds.

Age at referral	Delinquency cases per 1,000 juveniles in age group		Percent change
	1987	1996	
All ages	46.2	61.8	34%
10	5.7	6.0	6
11	9.7	11.6	19
12	18.0	24.8	38
13	33.9	47.8	41
14	53.7	74.8	39
15	70.4	101.9	45
16	84.0	119.8	43
17	89.1	119.0	34

Juveniles age 15 and older accounted for more than 6 in 10 delinquency cases in 1996

Juveniles age 15 and older made up 63% of the delinquency caseload in 1996. Juveniles ages 13 and 14 were involved in 27% of delinquency cases, while younger juveniles (age 12 and younger) accounted for 10%. There was some variation in age profiles across offense. Juveniles age 12 and younger accounted for greater proportions of person (13%) and property (12%) cases than of drug (2%) or public order (6%) cases. These proportions were not substantially different from those in 1987.

Across all ages in 1996, property offense case rates were highest, but drug offense case rates had the sharpest increase with age



- In general, delinquency case rates increase with age, although there are some variations across offenses.
- While case rates for 17-year-olds for person and property offenses were about one-third greater than the rates for 14-year-olds, the drug offense case rate for 17-year-olds was more than three times the rate for 14-year-olds.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

Why do juvenile courts handle more 16- than 17-year-olds?

Although comparable numbers of 17-year-olds and 16-year-olds were arrested in 1996, the number of juvenile court cases involving 17-year-olds (270,200) was lower than the number involving 16-year-olds (411,300). The explanation lies primarily in the fact that, in 13 States, 17-year-olds are excluded from the original jurisdiction of the juvenile court. In these States, all 17-year-olds are legally adults and are referred to criminal court rather than to juvenile court. Thus, far fewer 17-year-olds than 16-year-olds are

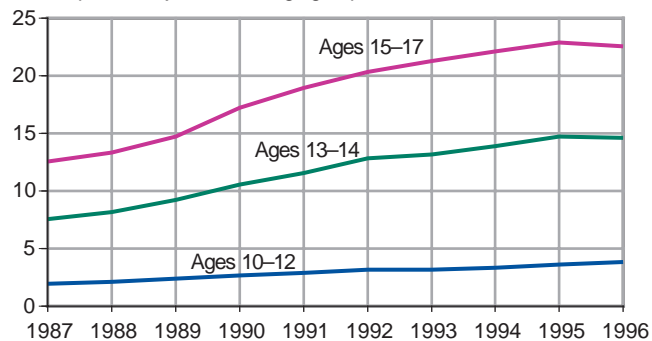
subject to original juvenile court jurisdiction in the U.S.

Even after controlling for their differential representation in the juvenile population, the case rates for 16-year-olds were still slightly greater than the rates for 17-year-olds. One reason may be State legislation that targets certain older juveniles for processing directly in criminal courts (via either statutory exclusion or concurrent jurisdiction provisions). In these situations, when a youth of juvenile age is arrested, the matter goes before a criminal court rather than before a juvenile court.

Overall, delinquency case rates increased less between 1987 and 1996 among youth ages 10–12 than among youth in older age groups, but the pattern of change varied across offenses

Person offense case rates

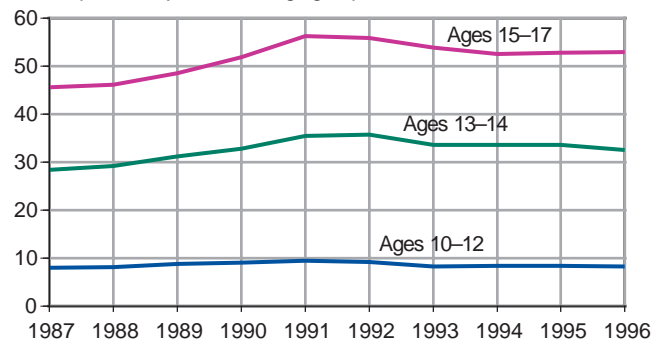
Cases per 1,000 juveniles in age group



- Person offense case rates increased steadily from 1987 through 1995 across age groups. Among youth in older age groups, the 1996 rates were slightly lower than the 1995 rates; this was not true for youth ages 10–12.

Property offense case rates

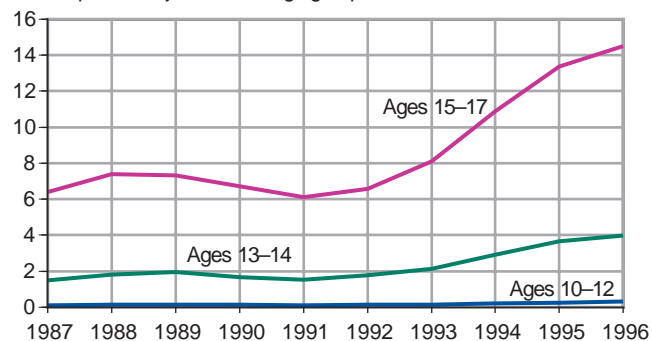
Cases per 1,000 juveniles in age group



- After increasing steadily from 1987 through the early 1990's, the property offense case rate for youth ages 15–17 declined and then leveled off. The same general pattern was found for youth in younger age groups.

Drug offense case rates

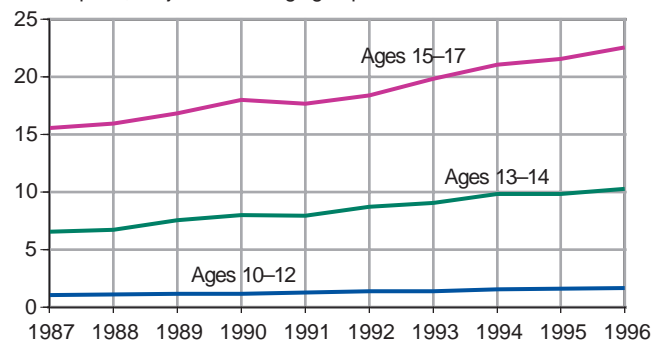
Cases per 1,000 juveniles in age group



- Between 1991 and 1996, drug offense case rates increased substantially, especially in older age groups.
- In 1996, drug case rates for youth ages 15–17 were 46 times the rate for youth ages 10–12 and 4 times the rate for youth ages 13–14.

Public order offense case rates

Cases per 1,000 juveniles in age group



- The public order offense case rate increased among all age groups between 1987 and 1996.
- Across all years the public order case rate among youth ages 15–17 was more than double the rate among youth ages 13–14 and more than 13 times the rate among youth ages 10–12.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

Both male and female delinquency caseloads have increased in recent years, females more sharply

Males are involved in 8 in 10 delinquency cases each year

Although they constitute only half of the juvenile population, males were involved in about three-quarters of person, property, and public order offense cases handled by the courts in 1996 and in 86% of drug law violation cases. With the exception of drug cases, the male proportions were slightly higher in 1987.

Most serious offense	Percent of cases involving males	
	1987	1996
Delinquency	81%	77%
Person	80	75
Property	81	77
Drugs	84	86
Public order	79	77

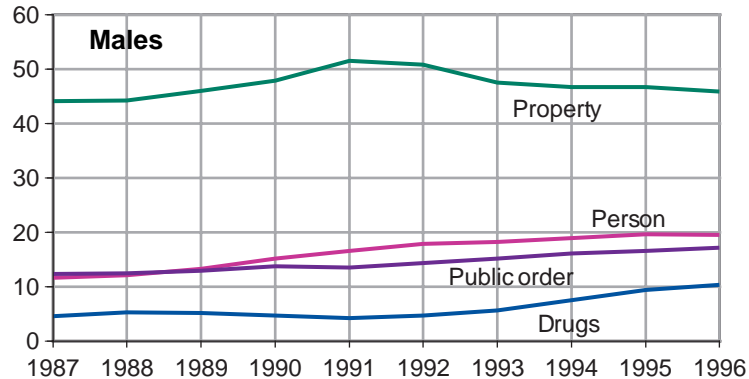
Compared with males, female delinquency caseloads grew at a faster pace

The number of delinquency cases involving females rose 76% between 1987 and 1996, compared with 42% for males. The growth in cases involving females outpaced the growth for males for all but drug offense cases.

Most serious offense	Percent change 1987–1996	
	Males	Females
Delinquency	42%	76%
Person	87	152
Property	16	52
Drugs	149	123
Public order	55	72

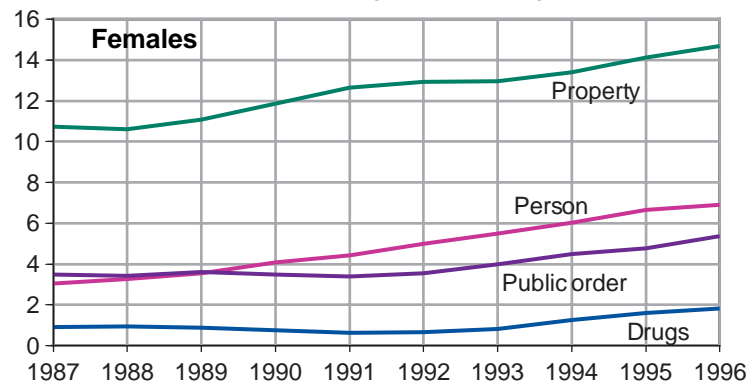
Case rates for females are much lower than those for males, but female rate increases have been sharper for all but drug cases

Cases per 1,000 male juveniles ages 10–upper age



- In 1996, for every 1,000 males between the ages of 10 and 17 (who were under juvenile court jurisdiction), the court handled 93 delinquency cases involving males. The delinquency case rate for females (29 cases per 1,000 females) was one-third the rate for males.
- Among males, drug offense case rates showed the greatest percent change between 1987 and 1996 (123%). The drug offense case rate for females rose 100%.

Cases per 1,000 female juveniles ages 10–upper age

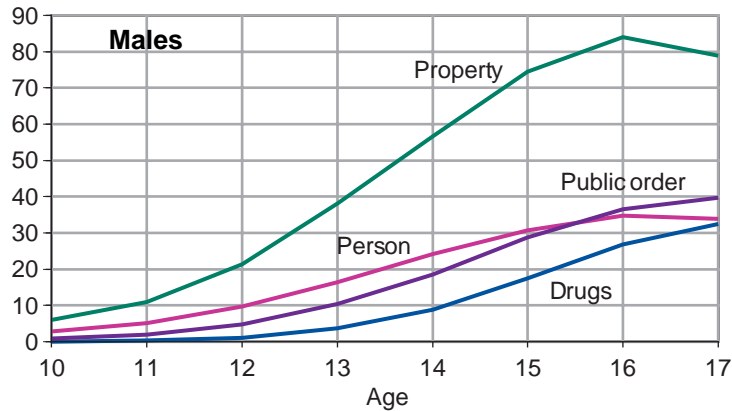


- Among females, person offense case rates showed the greatest percent change (127%). In comparison, the person offense case rate for males grew 68%.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

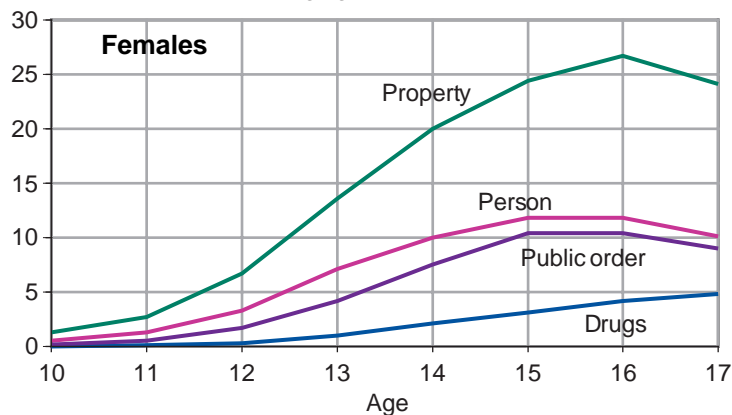
For both males and females, 1996 case rates for property offenses were higher than case rates for other offenses across all ages

Cases per 1,000 males in age group



- In 1996, age-specific case rates for males increased continuously with age through age 17 for public order and drug offenses. For property and person offense cases, rates peaked at age 16 and dropped off at age 17.
- Among males ages 16 and 17, case rates were lower for person offense cases than for public order cases. Rather than indicating a lower offending rate for person offenses, this may reflect the effect of transfer statutes that target person offense cases for direct filing in criminal court.

Cases per 1,000 females in age group



- In 1996, age-specific case rates for females dropped off at age 17 for all offense categories except drugs.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

In 1996, black juveniles were referred to juvenile court at a rate more than double that for whites

The offense profiles of white caseloads and black caseloads differ

Caseloads of black juveniles contained a greater proportion of person offenses than did caseloads of white juveniles and those of other races. Property offense cases accounted for the largest proportion of cases for all racial groups, although among black juveniles, property cases accounted for fewer than half of the cases processed in 1996. For all races, drug offense cases accounted for the smallest proportion of the 1996 caseload.

Most serious offense	White	Black	Other races
1996			
Total	100%	100%	100%
Person	19	27	20
Property	53	42	57
Drugs	10	11	6
Public order	18	20	17
1987			
Total	100%	100%	100%
Person	13	24	14
Property	63	53	66
Drugs	6	7	5
Public order	18	15	16

Caseload offense profiles for 1996 differed from offense profiles for 1987 for all racial groups. Regardless of race, the proportion of cases involving person offenses was greater in 1996 than in 1987. Among black juveniles, person offenses increased 3 percentage points. Among white juveniles and those of other races, person offenses increased 6 percentage points.

Black juveniles were involved in a disproportionate number of delinquency cases in 1996

Most serious offense	White	Black	Other races	Total
Total				
Delinquency cases	66%	30%	4%	100%
Person	59	38	4	100
Property	70	26	4	100
Drugs	65	33	3	100
Public order	64	32	4	100
Male				
Delinquency cases	66	31	4	100
Person	60	37	4	100
Property	70	26	4	100
Drugs	62	36	2	100
Public order	64	32	3	100
Female				
Delinquency cases	67	29	4	100
Person	57	39	4	100
Property	71	24	5	100
Drugs	81	15	3	100
Public order	64	33	4	100
Juvenile population	80%	15%	5%	100%

- Overall, the level of racial disparity did not change substantially between the stages of arrest and juvenile court intake.
- Although two-thirds of delinquency cases involve white youth, black youth were overrepresented in the delinquency caseload, given their proportion of the juvenile population (age 10 through upper age).
- The overrepresentation of black juveniles was greatest for cases involving person offenses.
- Among females, the racial distribution of drug cases was similar to the racial distribution of the juvenile population.
- Overrepresentation of blacks was somewhat greater in 1996 than in 1987. In 1987, black youth accounted for 27% of delinquency cases overall, 40% of person offense cases, 24% of property offense cases, 31% of drug offense cases, and 24% of public order offense cases.

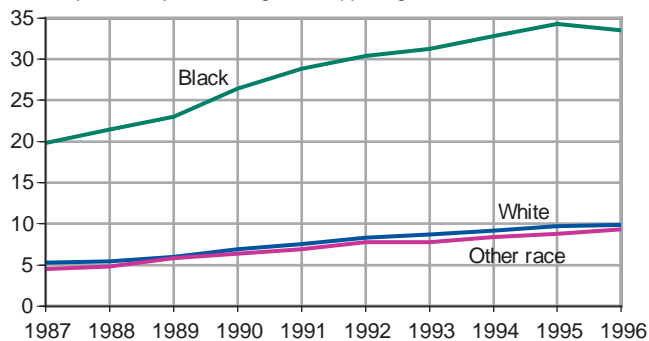
Note: Detail may not total 100% because of rounding. Nearly all juveniles of Hispanic ethnicity are included in the white racial category.

Source: Authors' adaptation of Stahl et al. 's *Juvenile court statistics 1996*.

From 1987 through 1996, case rates increased for all racial groups in all offense categories; rates for black juveniles remain well above those for whites and for those of other races

Person offense case rates

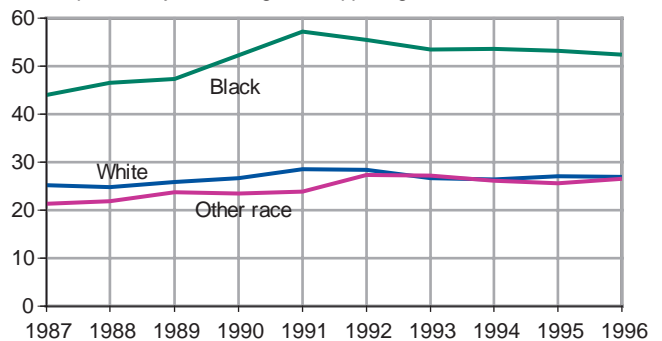
Cases per 1,000 juveniles ages 10–upper age



- Each year between 1987 and 1996, the person offense case rate for black juveniles was more than three times the rates for white juveniles and those of other races, although the gap narrowed over the years.
- The rate for black juveniles increased 69%, compared with 86% for white juveniles and 107% for those of other races.

Property offense case rates

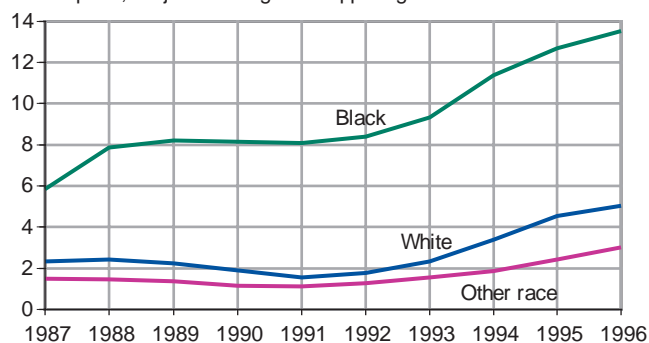
Cases per 1,000 juveniles ages 10–upper age



- From 1987 through 1996, the property offense case rates for whites and other races were about half the rates for blacks.
- For all racial groups, property offense case rates were at their peak in the early 1990's. The subsequent decline for black juveniles (8%) and white juveniles (6%) was similar.

Drug offense case rates

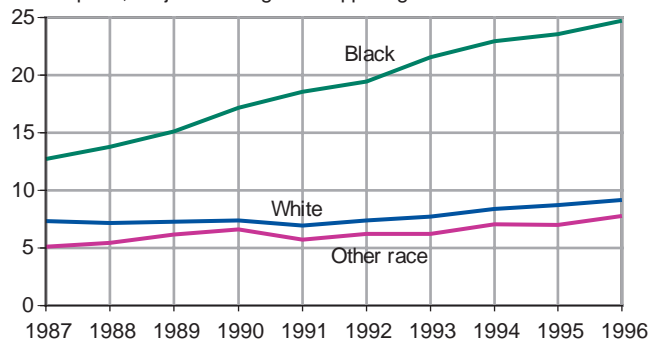
Cases per 1,000 juveniles ages 10–upper age



- Between 1988 and 1991, the drug case rate remained virtually unchanged for black juveniles, but dropped 36% for white juveniles and 23% for those of other races.
- All racial groups had large increases in drug case rates between 1991 and 1996: 116% for whites, 132% for blacks, and 167% for youth of other races.

Public order offense case rates

Cases per 1,000 juveniles ages 10–upper age



- Between 1987 and 1996, the public order case rates for whites and other races were less than half the rates for blacks.
- The increase in the public order case rate between 1987 and 1996 was substantially greater for black juveniles (94%) than for white juveniles (26%) or juveniles of other races (52%).

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

Most delinquency cases do not involve detention between referral to court and case disposition

When is secure detention used?

A youth may be placed in a secure juvenile detention facility at various points during the processing of a case through the juvenile justice system. Although detention practices vary from jurisdiction to jurisdiction, a general model of detention practices is useful.

When a case is referred to juvenile court, intake staff may decide to hold the youth in a detention facility while the case is being processed. In general, the youth will be detained if there is reason to believe the youth is a threat to the community, will be at risk if returned to the community, or may fail to appear at an upcoming hearing.

The youth may also be detained for diagnostic evaluation purposes. In all States, legislation requires that a detention hearing be held within a few days (generally within 24 to 48 hours). At that time, a judge reviews the decision to detain the youth and either orders the youth released or continues the detention.

National juvenile court statistics count the number of cases that involve the use of detention during a calendar year. A youth may be detained and released more than once between case referral and disposition as the case is processed. A youth may also have more than one case involving detention during the year. Juvenile court data do not count "detentions" nor do they count the number of youth detained. In addition, although in a few States juveniles may be committed to a detention facility as part of a disposition order, the court data do not include such placements in the count of cases involving detention.

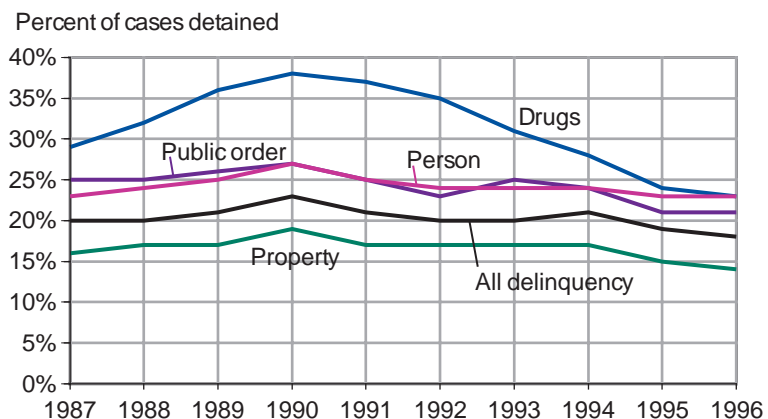
89,000 more delinquency cases involved detention in 1996 than in 1987—person offense cases accounted for 48% of the increase

	Delinquency	Person	Property	Drugs	Public order
1987	231,900	44,300	115,900	21,000	50,600
1988	241,400	47,800	117,200	26,200	50,200
1989	262,400	54,900	124,500	28,200	54,800
1990	302,600	67,700	146,800	26,900	61,200
1991	293,900	69,800	145,300	23,900	54,800
1992	299,700	73,900	144,100	25,100	56,700
1993	309,900	76,900	140,200	27,800	65,000
1994	329,600	83,700	140,500	35,100	70,300
1995	318,900	84,400	131,400	38,500	64,600
1996	320,900	87,200	125,800	39,700	68,300

- The number of property cases involving detention dropped 14% from 1990 to 1996. Nevertheless, property cases account for the largest volume of cases involving detention, although they are less likely to involve detention than other offenses.

Source: Authors' analysis of data from NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

In 1996, juveniles were detained between referral and disposition in 18% of all delinquency cases processed during the year



- For all offenses, the likelihood of detention was lower in 1996 than in 1990. The decline was greatest for drug offense cases.
- Between 1987 and 1995, the likelihood of detention was consistently greater for drug cases than for cases involving other offenses. In 1996, 23% of both drug and person offense cases involved detention.
- Property offense cases have the lowest likelihood of detention.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

The offense profile of detained delinquency cases has changed

Property cases continue to account for the largest volume of delinquency cases involving detention, but their share of total detained cases has diminished. The proportion of person offense cases in the detention caseload was greater in 1996 than in 1987.

Most serious offense	Percent of detained cases	
	1987	1996
Delinquency	100%	100%
Person	19	27
Property	50	39
Drugs	9	12
Public order	22	21

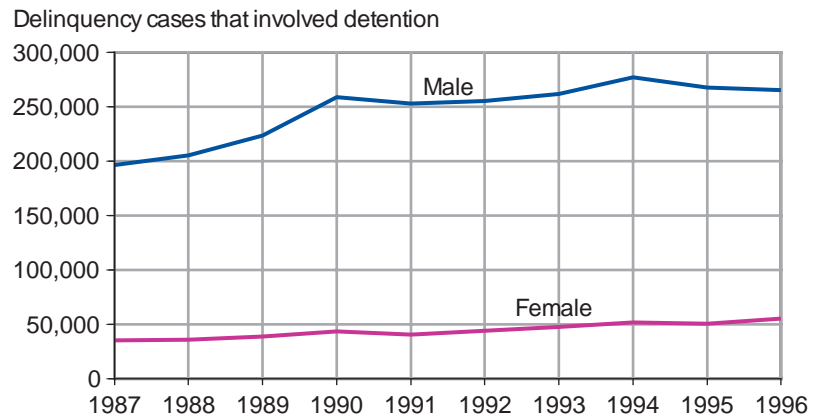
Note: Detail may not total 100% because of rounding.

Growth in the number of cases detained was less than the growth in overall caseloads

Compared with the increase in the overall delinquency caseload, the relative growth in the number of cases involving detention was smaller. Growth in the use of detention may have been limited by facility crowding. For person offenses, detention growth kept pace with overall caseload growth, but for other offense categories, detention growth was not as great as overall caseload growth.

Most serious offense	Percent change 1987–1996	
	All cases	Detained cases
Delinquency	49%	38%
Person	100	97
Property	23	8
Drugs	144	89
Public order	58	35

The number of cases involving detention increased 35% among males and 57% among females



■ Despite the fact that there was a greater percent increase in the number of cases involving detention among females than among males, males still far outnumbered females among detained cases. In 1996, males accounted for 83% of cases involving detention.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

Regardless of offense, males were more likely to be detained than females in 1996

Most serious offense	Percent of cases that involved detention in 1996	
	Males	Females
Delinquency	20%	14%
Person	24	19
Property	16	9
Drugs	24	15
Public order	21	19

For males, person and drug offense cases had the greatest likelihood of detention. For females, detention was most likely for person and public order offense cases. In fact, public order cases involving females were nearly as likely to involve detention as those involving males.

Because the probability of detention was greater for males than for females in 1996, males were overrepresented in the detention caseload, compared with their proportions in the overall delinquency caseload.

Most serious offense	Percent of cases that involved males in 1996	
	All cases	Detained cases
Delinquency	77%	83%
Person	75	79
Property	77	85
Drugs	86	90
Public order	77	79

White juveniles were less likely to be detained than black juveniles and juveniles of other races

White youth were least likely to be detained

Secure detention was nearly twice as likely in 1996 for cases involving black youth as for cases involving whites, even after controlling for offense. Detention was least likely for cases involving white youth charged with property crimes. Detention was most likely for cases involving black youth charged with drug offenses.

Most serious offense	Percent of cases that involved detention in 1996		
	White	Black	Other races
Delinquency	14%	27%	18%
Person	19	28	26
Property	11	22	15
Drugs	14	40	19
Public order	17	29	17

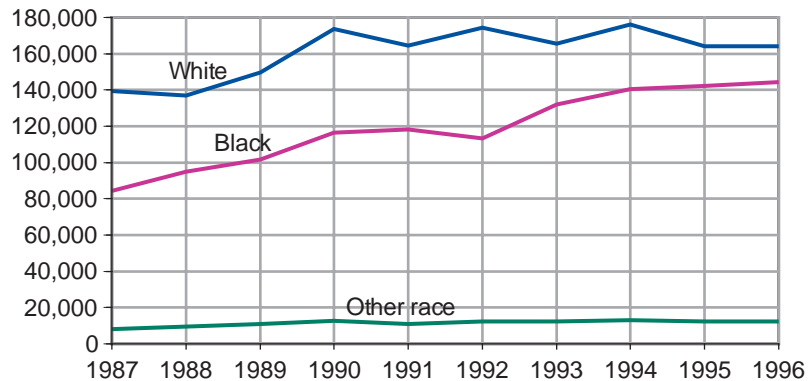
For blacks, growth in detained cases outpaced growth in delinquency cases overall

For black youth, the relative increase in the number of delinquency cases involving detention was greater than the relative increase in delinquency cases overall. For white juveniles and juveniles of other races, growth in the overall delinquency caseload was greater than growth in the detention caseload.

Race	Percent change 1987–1996	
	All cases	Detained cases
All races	49%	38%
White	39	18
Black	68	71
Other races	103	50

For black juveniles, the relative increase in the number of cases involving detention was nearly four times the increase for whites

Delinquency cases that involved detention

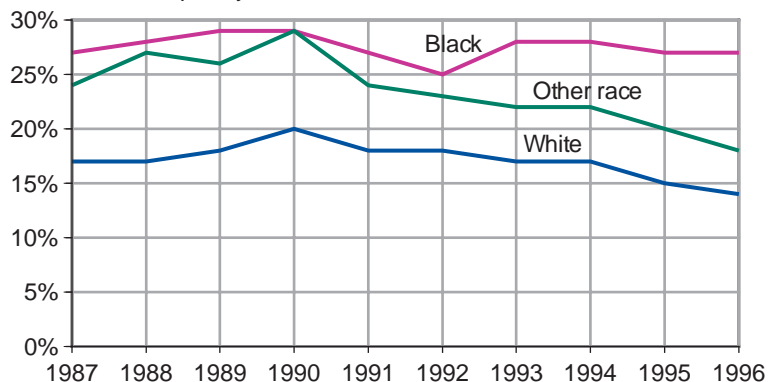


■ For white juveniles, the number of delinquency cases involving detention increased 18% from 1987 to 1996. For black juveniles, the increase was 71%. For youth of other races, the increase was 50%.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

Compared with 1987, the use of detention in delinquency cases in 1996 remained about the same for black juveniles but declined for white juveniles and juveniles of other races

Percent of delinquency cases that involved detention



Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

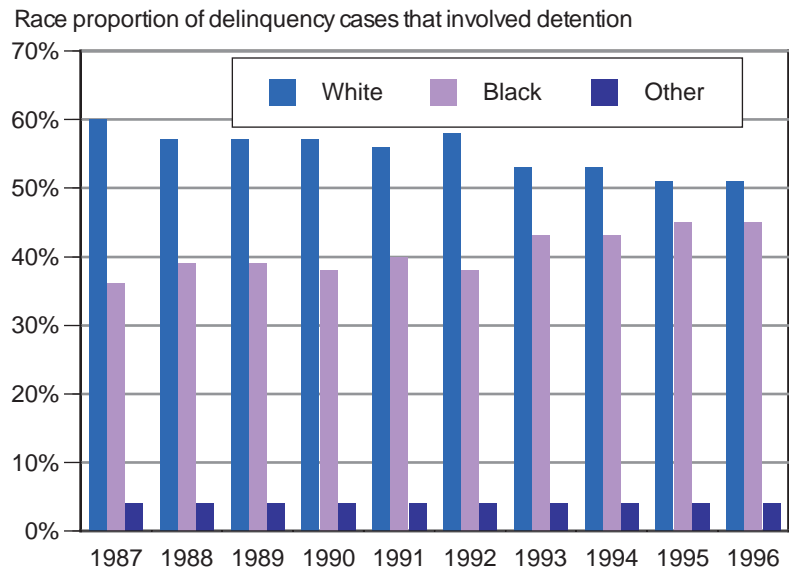
Black youth were over-represented in detention caseloads in 1996

As a result of their greater probability of detention in 1996, black youth were overrepresented in the detention caseload, compared with their proportions in the overall delinquency caseload. While black youth made up 30% of all delinquency cases processed in 1996, they were involved in 45% of detained cases. This overrepresentation was greatest for drug offenses: blacks accounted for 33% of all drug cases processed, but 59% of drug cases detained.

Most serious offense	Percent of cases that involved black juveniles in 1996	
	All cases	Detained cases
Delinquency	30%	45%
Person	38	46
Property	26	40
Drugs	33	59
Public order	32	45

In all offense categories, youth of other races made up less than 5% of all cases processed and of those involving detention.

Black juveniles accounted for a greater share of delinquency cases involving detention in 1996 than in 1987



■ In 1987, blacks accounted for 36% of the detention caseload; by 1995, their proportion had increased to 45%, where it remained in 1996. Juveniles of other races remained at 4% of the detention caseload throughout the period from 1987 through 1996.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

The age profile of delinquency cases involving detention did not change substantially between 1987 and 1996

Age at referral	1987	1996
Total	100%	100%
10 or younger	1	1
11 years	1	1
12 years	3	4
13 years	8	9
14 years	15	17
15 years	24	24
16 years	28	26
17 or older	20	18

Note: Detail may not total 100% because of rounding.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

Older youth are more likely than younger youth to be detained

Most serious offense	Percent of cases that involved detention in 1996, by age at referral							
	10	11	12	13	14	15	16	17
Delinquency	7%	10%	13%	16%	18%	20%	20%	20%
Person	9	14	16	20	23	25	26	26
Property	5	7	10	13	15	16	16	16
Drugs	*	10	16	21	21	24	24	22
Public order	9	14	17	21	22	23	22	20

■ The likelihood of detention was twice as great for cases involving 15-, 16-, and 17-year-olds as it was for 11-year-olds.

* Too few cases to obtain a reliable percentage.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

A smaller proportion of delinquency cases was handled informally by juvenile courts in 1996 than in 1987

Informal processing involves the voluntary acceptance of sanctions and interventions

Soon after a case is referred to juvenile court, an intake officer or prosecutor decides whether to handle the case formally or informally. Informal processing is considered when the decisionmakers (police, probation officers, intake workers, prosecutors, or other screening officers) believe that accountability and rehabilitation can be achieved without the use of formal court intervention.

Informal sanctions are voluntary; the court cannot force a juvenile to comply with an informal disposition. If the court decides to handle the matter informally (in lieu of formal prosecution), an offender agrees to comply with one or more sanctions such as community service, victim restitution, or voluntary probation supervision. In many jurisdictions, before juveniles are offered informal sanctions, they must admit they committed the alleged act.

When informally handled, the case is generally held open pending the successful completion of the informal disposition. Upon successful completion of these arrangements, the charges against the offender are dismissed. If, however, the offender does not fulfill the court's conditions for informal handling, the case is likely to be reopened and formally prosecuted.

The juvenile justice system makes broad use of informal processing

Informal handling is less common than in the past but is still used in a large number of cases. According to *Juvenile Court Statistics 1996*, 44% of delinquency cases disposed by juvenile courts in 1996 were handled informally, compared with more than half in 1987. The decline in the use of informal processing was seen in all four general offense categories. With the exception of drug cases, this decline was constant over the time period. Among drug cases, the proportion of cases handled informally dropped sharply between 1987 and 1991 from 46% to 33% and then rose to 38% in 1996.

Most serious offense	Percent of cases handled informally	
	1987	1996
Delinquency	53%	44%
Person	47	41
Property	55	48
Drugs	46	38
Public order	54	40

Males, blacks, and older juveniles are less likely to have their cases handled informally

Case characteristics	Percent of cases handled informally	
	1987	1996
Sex		
Male	51%	41%
Female	64	54
Race		
White	57	46
Black	42	38
Other race	53	47
Age at referral		
15 or younger	56	47
16 or older	49	40

A substantial proportion of informal cases involves some sort of voluntary sanction

In 1996, juvenile courts dismissed nearly half of all informally handled cases (45%). In the informally handled cases that were not dismissed, the juvenile voluntarily agreed to some sort of intervention services and/or sanctions. In more than half (57%) of the informally processed cases that were not dismissed, the youth agreed to a term of voluntary probation supervision, and 41% agreed to other sanctions such as voluntary restitution, community service, or referral to another agency. In a small number of the informal cases that were not dismissed, the youth and the youth's family agreed to a period of out-of-home placement as a sanction (2%).

The handling of informal cases in 1996 was similar to their handling in 1987. In 1987, juvenile courts dismissed 47% of informal cases. The majority of informal cases that were not dismissed in 1987 involved informal probation supervision (58%) or other voluntary sanctions (41%), while in less than 1% the youth was placed out of home.

Most serious offense	Percent change in informal cases 1987–1996	
	Dismissed	Informal sanctions
Delinquency	17%	27%
Person	74	72
Property	–4	22
Drugs	67	104
Public order	19	–4

Although the volume of informal cases grew, the growth was less than the increase in overall delinquency caseloads. This pattern indicates formal caseload “net-widening” at the intake decision point.

Juvenile courts handled more than half of delinquency cases formally in 1996

Petitioners ask the court to order sanctions in formally processed cases

Formal case handling involves the filing of a petition requesting that the court hold an adjudicatory or waiver hearing. Compared with cases that are handled informally, formally processed delinquency cases tend to involve more serious offenses, older juveniles, and those who have longer court histories. In 1996, juvenile courts formally processed 59% of cases involving juveniles age 14 or older, compared with 44% of cases involving younger juveniles.

There were large increases in the juvenile court's formal caseloads from 1987 to 1996

Most serious offense	Percent change in formal cases 1987–1996
Male	70%
Person	105
Property	36
Drugs	186
Public order	100
Female	126
Person	209
Property	93
Drugs	161
Public order	120
White	75
Person	141
Property	43
Drugs	187
Public order	92
Black	79
Person	94
Property	39
Drugs	172
Public order	126
Other race	129
Person	199
Property	89
Drugs	314
Public order	165

In 1996, juvenile courts formally processed more than 980,000 delinquency cases

Most serious offense	Delinquency cases formally processed in 1996		Percent change 1987–1996
	Number	Percent of total	
Total delinquency	983,100	56%	78%
Person offenses	223,600	59	121
Criminal homicide	2,200	91	93
Forcible rape	5,600	79	64
Robbery	32,700	87	79
Aggravated assault	53,800	61	125
Simple assault	110,400	51	153
Other violent sex offenses	6,700	75	45
Other person offenses	12,200	63	95
Property offenses	455,800	52	44
Burglary	107,500	76	19
Larceny-theft	173,000	41	51
Motor vehicle theft	38,000	73	22
Arson	5,000	56	60
Vandalism	59,500	50	87
Trespassing	26,500	41	52
Stolen property offenses	22,400	68	33
Other property offenses	23,900	71	106
Drug law violations	109,500	62	183
Public order offenses	194,200	60	104
Obstruction of justice	97,500	77	88
Disorderly conduct	34,400	38	164
Weapons offenses	26,300	64	188
Liquor law violations	5,000	49	0
Nonviolent sex offenses	5,400	51	–18
Other public order offenses	25,500	54	166
Violent Crime Index *	94,300	70	102
Property Crime Index **	323,500	52	35

■ As a general rule, the more serious the offense, the more likely the case was to be brought before a judge for formal (court-ordered) sanctioning. For example, 41% of all larceny-theft cases were formally processed in 1996, compared with 76% of all burglary cases.

■ The juvenile was charged with an offense against a person in fewer than one-quarter of the delinquency cases formally processed in 1996.

*Includes criminal homicide, forcible rape, robbery, and aggravated assault.

**Includes burglary, larceny-theft, motor vehicle theft, and arson.

Note: Detail may not add to totals because of rounding. Percent change calculations are based on unrounded numbers.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

Juvenile courts adjudicated youth delinquent in 3 in 5 formally handled delinquency cases in 1996

Juveniles were adjudicated in 567,200 formally processed delinquency cases in 1996

A youth referred to juvenile court for a delinquency offense may be adjudicated (judged to be) a delinquent after admitting to the charges in the case, or after the court finds sufficient evidence to conclude, beyond a reasonable doubt, that the youth committed the acts alleged in the petition.

Proportion of formally processed cases in 1996 that was adjudicated:

Total delinquency	58%
Person offenses	54
Criminal homicide	36
Forcible rape	59
Robbery	58
Aggravated assault	57
Simple assault	51
Other violent sex offenses	56
Other person offenses	51
Property offenses	59
Burglary	64
Larceny-theft	56
Motor vehicle theft	66
Arson	62
Vandalism	54
Trespassing	49
Stolen property offenses	62
Other property offenses	59
Drug law violations	58
Public order offenses	58
Obstruction of justice	64
Disorderly conduct	45
Weapons offenses	61
Liquor law violations	46
Nonviolent sex offenses	64
Other public order offenses	48
Violent Crime Index*	57
Property Crime Index**	60

*Includes criminal homicide, forcible rape, robbery, and aggravated assault.

**Includes burglary, larceny-theft, motor vehicle theft, and arson.

Delinquency adjudications grew 64% between 1987 and 1996

Most serious offense	Percent change 1987–1996				
	All cases	Formal cases			
		Total	Waived	Adjudicated	Not adjudicated
Delinquency	49%	78%	47%	64%	104%
Person	100	121	125	112	133
Property	23	44	–2	33	65
Drugs	144	183	124	161	224
Public order	58	104	22	81	148

■ Across all four general offense categories, the relative growth in adjudications was greater than the increase in the overall caseload, but less than the growth in formally processed cases. Therefore, the growth in formally processed cases resulted in a greater proportion of court activity devoted to cases in which the court was not able to find that the youth committed the offense charged (i.e., not adjudicated).

Source: Authors' analysis of Snyder et al.'s *Easy access to juvenile courts statistics: 1987–1996* [data presentation and analysis package].

In 1996, 58% of all formally processed delinquency cases resulted in an adjudication. Youth were adjudicated delinquent in 54% of person offense cases. This was less than any of the other major categories of offenses: youth were adjudicated delinquent in 59% of property offense cases, 58% of drug law violation cases, and 58% of public order offense cases.

The lower rate of adjudication in person offense cases may reflect, in part, reluctance to divert person offense cases from the formal juvenile justice system until a judge has had the opportunity to review the case. In addition, person offense cases are more likely than other cases to be judicially waived to criminal court.

The likelihood of adjudication varied by demographic group

In 1996, 58% of all formally processed cases involving males were

adjudicated, compared with 53% of cases involving females, a pattern that held even after controlling for referral offense.

Proportion of formally processed cases in 1996 that was adjudicated:

Most serious offense	Males	Females
Delinquency	59%	53%
Person	56	51
Property	60	52
Drugs	59	54
Public order	59	56

The proportion of formal cases adjudicated in 1996 varied by race and age:

- By race: 55% for blacks, 59% for whites, and 66% for those of other races.
- By age: 55% for youth below age 14, 60% for 14- to 15-year-olds, 58% for 16-year-olds, and 55% for 17-year-olds.

In 1996, residential placement or probation was ordered in 82% of adjudicated delinquency cases

Most adjudicated delinquency cases result in residential placement or formal probation

In 28% of adjudicated delinquency cases, the court ordered the youth to residential placement such as a training school, camp, ranch, drug treatment or private placement facility, or group home. Generally, if adjudicated delinquents were not placed out of home, they were placed on formal probation. In 54% of adjudicated delinquency cases, probation was the most severe sanction ordered. Overall, 82% of adjudicated delinquency cases resulted in either placement or formal probation.

Once adjudicated, white juveniles were less likely to be ordered to residential placement than were blacks and youth of other races. Females were less likely to be placed out of home than were males.

Case characteristics	Percent of adjudicated delinquency cases in 1996	
	Residential placement	Formal probation
All cases	28%	54%
Age		
13 or younger	23	60
14	29	56
15	30	55
16	30	52
17	27	50
Sex		
Male	29	59
Female	22	54
Race		
White	26	55
Black	32	52
Other	32	48

These demographic patterns in the use of placement and probation do not control for criminal histories that are related to increased severity of sanctions.

Homicide cases had the greatest likelihood of court-ordered residential placement in 1996, followed by robbery, rape, obstruction of justice, and motor vehicle theft cases

Most serious offense	Percent of adjudicated delinquency cases			
	Residential placement		Formal probation	
	1987	1996	1987	1996
Total delinquency	31%	28%	56%	54%
Person offenses	33	31	55	53
Criminal homicide	60	59	33	30
Forcible rape	42	43	52	43
Robbery	46	46	48	41
Aggravated assault	32	31	58	53
Simple assault	27	26	57	57
Other violent sex offenses	31	32	61	55
Other person offenses	25	28	59	59
Property offenses	28	26	58	56
Burglary	33	33	58	55
Larceny-theft	24	23	59	58
Motor vehicle theft	37	41	53	48
Arson	29	27	59	59
Vandalism	18	17	62	60
Trespassing	22	21	52	54
Stolen property offenses	28	28	58	49
Other property offenses	28	17	55	60
Drug law violations	32	24	59	54
Public order offenses	37	32	49	49
Obstruction of justice	47	42	46	45
Disorderly conduct	18	16	56	57
Weapons offenses	27	28	60	56
Liquor law violations	16	14	52	64
Nonviolent sex offenses	38	39	54	53
Other public order offenses	21	15	49	44
Violent Crime Index *	39	37	53	48
Property Crime Index **	29	29	58	56

■ Cases involving youth adjudicated for serious person offenses, such as homicide, rape, or robbery, were most likely to result in residential placement.

■ Cases involving youth adjudicated for minor offenses, such as vandalism or disorderly conduct, were least likely to result in residential placement.

■ The relatively high residential placement rate for public order offense cases stems from the inclusion of certain obstruction of justice offenses that have a high likelihood of placement (e.g., escapes from confinement and probation and parole violations).

* Includes criminal homicide, forcible rape, robbery, and aggravated assault.

**Includes burglary, larceny-theft, motor vehicle theft, and arson.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data file].

Juvenile courts assign probation supervision to a wide range of youthful offenders

Probation is the oldest and most widely used community-based corrections program. Probation may be used at either the “front end” or the “back end” of the juvenile justice system: for first-time, low-risk offenders or as an alternative to institutional confinement for more serious offenders. During a period of probation, a juvenile offender remains in the community and can continue normal activities such as school and work. In exchange for this freedom, the juvenile must comply with a number of conditions.

This compliance may be voluntary: the youth agrees to comply with a period of informal probation in lieu of formal adjudication. Or compliance may be mandatory: once adjudicated and formally ordered to a term of probation, the juvenile must comply with the probation conditions established by the court. More than half (52%) of juvenile probation dispositions in 1996 were informal (i.e., enacted without a formal adjudication or court order).

Probation conditions typically incorporate items meant to control as well as rehabilitate

A juvenile may be required to meet regularly with a probation supervisor, adhere to a strict curfew, and complete a specified period of community service. The conditions of probation may also include provisions for the revocation of probation should the juvenile violate the conditions. If probation is revoked, the court may reconsider its disposition and impose stricter sanctions.

The characteristics of adjudicated cases ordered to probation changed between 1987 and 1996 as did the profile of those ordered to residential placement

Case characteristics	Percent of residential placement cases		Percent of formal probation cases	
	1987	1996	1987	1996
Most serious offense	100%	100%	100%	100%
Person	18	24	16	21
Property	53	44	60	49
Drugs	7	10	7	11
Public order	22	23	16	18
Sex	100%	100%	100%	100%
Male	88	87	86	81
Female	12	13	14	19
Race	100%	100%	100%	100%
White	63	59	66	66
Black	34	36	31	30
Other	3	5	3	4
Age at referral	100%	100%	100%	100%
13 or younger	12	13	16	17
14	16	17	16	17
15	25	26	24	24
16	28	26	26	24
17 or older	19	18	19	17

■ Compared with 1987, profiles of cases ordered to probation and cases ordered to residential placement showed greater proportions of person offenses, females, and younger juveniles in 1996.

■ Compared with adjudicated cases that resulted in residential placement in 1996, adjudicated delinquency cases that resulted in probation involved a higher percentage of whites (66% vs. 59%), females (19% vs. 13%), and youth charged with a property offense (49% vs. 44%).

Note: Detail may not total 100% due to rounding.

Source: Authors' analysis of Snyder et al.'s *Easy access to juvenile court statistics: 1987–1996* [data presentation and analysis package].

Probation caseloads increased between 1987 and 1996

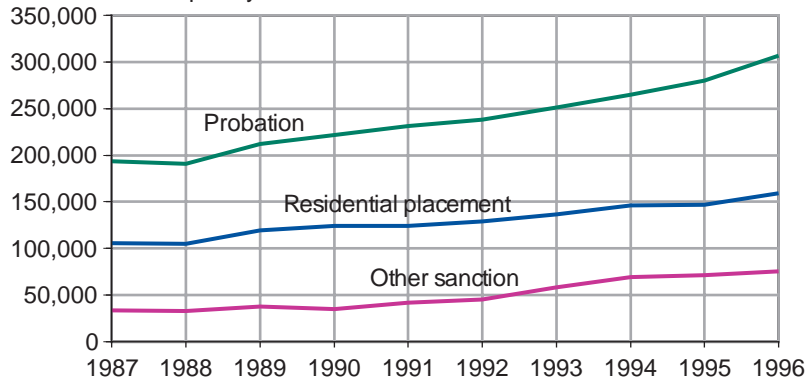
The total number of delinquency cases receiving probation (either formal or informal) as the most severe initial disposition climbed 46% between 1987 and 1996, from 435,200 to 634,100. The number of

adjudicated delinquency cases placed on formal probation increased 58% over this period, from 193,800 to 306,900. The growth in probation caseloads was related to the general growth in juvenile court delinquency caseloads at referral (49%) and adjudication (64%).

Between 1987 and 1996, the volume of adjudicated cases ordered to formal probation rose 58%, and court-ordered residential placements rose 51%; although other sanctions are imposed less often, cases resulting in other sanctions rose 125%

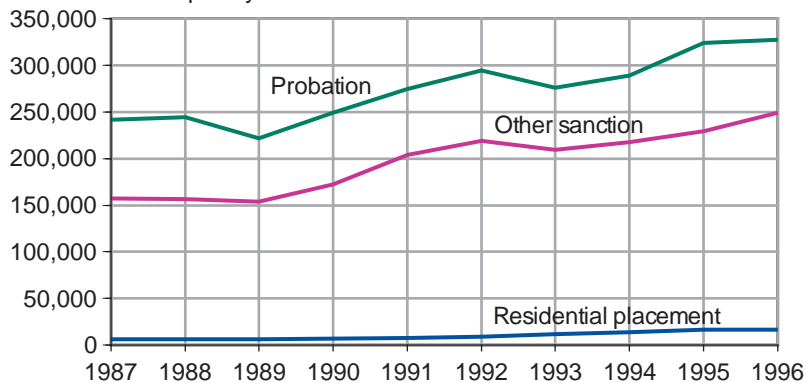
Adjudicated delinquency cases

Number of delinquency cases



Delinquency cases not adjudicated

Number of delinquency cases



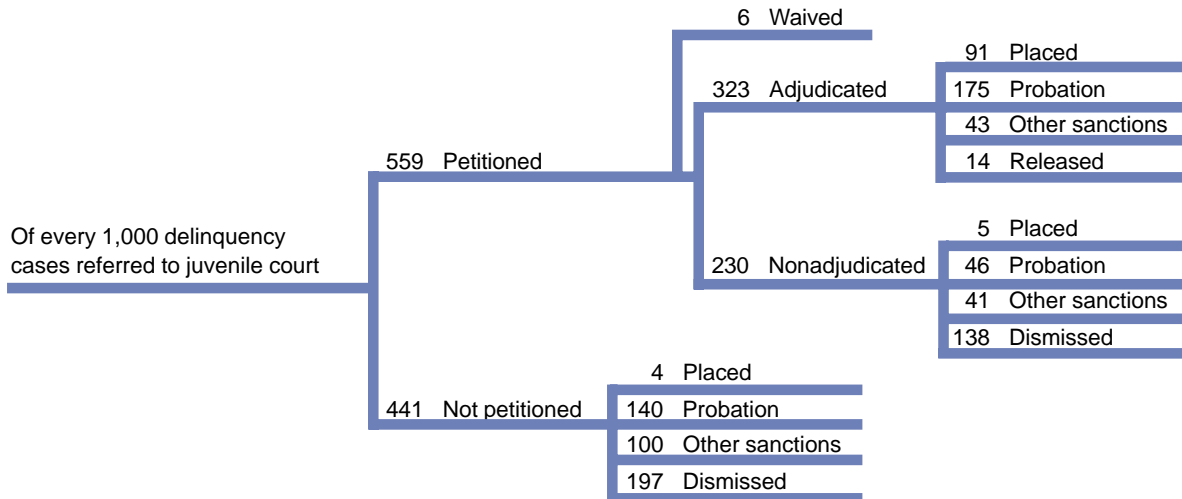
Note: Delinquency cases not adjudicated include cases both formally and informally processed.

Source: Authors' analysis of Snyder et al.'s *Easy access to juvenile court statistics: 1987–1996* [data presentation and analysis package].

- Although the number of adjudicated cases receiving sanctions (residential placement, probation, or other sanctions) rose 63% from 1987 to 1996, their proportion of all adjudicated cases was virtually the same in 1996 (95%) as in 1987 (97%).
- Overall, youth were placed on probation in 56% of the more than 1 million cases that received some sort of formal or informal juvenile court sanction in 1996 (i.e., those that were not waived to criminal court, dismissed, or otherwise released).
- In 1996, juvenile courts ordered youth to residential placement in 159,400 adjudicated delinquency cases. Youth voluntarily agreed to out-of-home placement in 16,400 nonadjudicated delinquency cases.
- Growth was greater for adjudicated cases ordered to formal probation (58%) than for nonadjudicated cases placed on informal probation (35%).
- Residential placements rose more among nonadjudicated than adjudicated cases (162% vs. 51%).
- More nonadjudicated (249,600) than adjudicated (75,800) cases were given other sanctions (such as community service, restitution, or referral to another agency).

How were delinquency cases processed in juvenile court in 1996?

Of every 1,000 delinquency cases handled in 1996, 175 resulted in formal probation and 91 resulted in residential placement following adjudication



- In many formally handled delinquency cases that did not result in juvenile court adjudication, the youth agreed to informal services or sanctions, including out-of-home placement, informal probation, and other dispositions such as restitution.
- In a small number of cases (14 of 1,000), the juvenile was adjudicated but the court closed the case with a stayed or suspended sentence, warned and released the youth, or perhaps required the youth to write an essay. In such cases, the juvenile is not under any continuing court supervision.
- Although juvenile courts handled more than 4 in 10 delinquency cases without the filing of a formal petition, more than half of these cases received some form of court sanction, including probation or other dispositions such as restitution, community service, or referral to another agency.

Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

For defendants of all ages, criminal court conviction rates are higher for murder than for other offenses

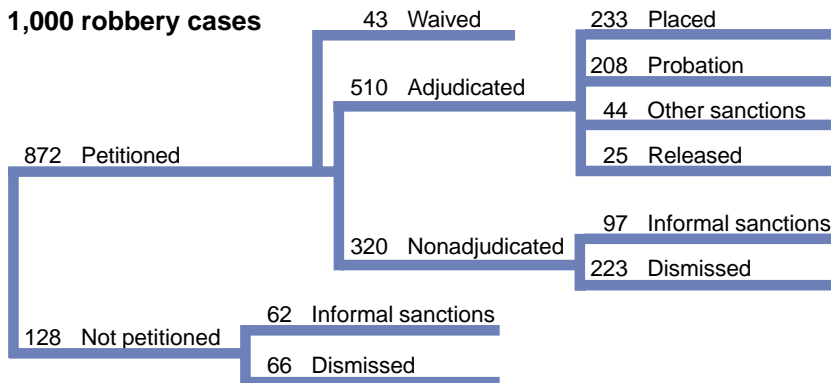
The Bureau of Justice Statistics has estimated the likelihood of an arrest leading to a conviction. The likelihood of conviction was calculated by dividing the number of adult felony convictions in a year by the number of adult felony arrests that year. Because the Federal Bureau of Investigation arrest data do not distinguish felonies from

nonfelonies, conviction rates were estimated only for offenses that are always or nearly always defined in State law as felonies. For murder, it was estimated that 65% of arrests in 1994 resulted in a felony conviction. For aggravated assault, just 14% of arrests resulted in a felony conviction.

Most serious convicted offense	Estimated percent of felony arrests leading to felony conviction		
	1990	1992	1994
Murder	55%	65%	65%
Drug trafficking	53	55	52
Robbery	37	41	39
Burglary	38	41	39
Aggravated assault	13	14	14

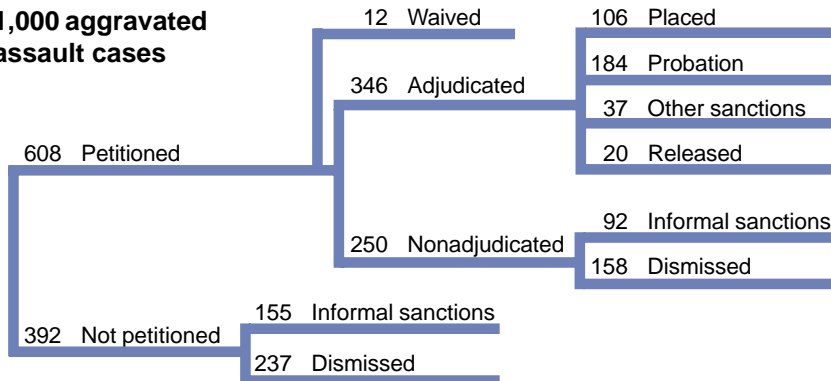
Compared with delinquency cases overall, robbery and aggravated assault cases handled in juvenile court were more likely to be petitioned, adjudicated delinquent, and sanctioned

1,000 robbery cases



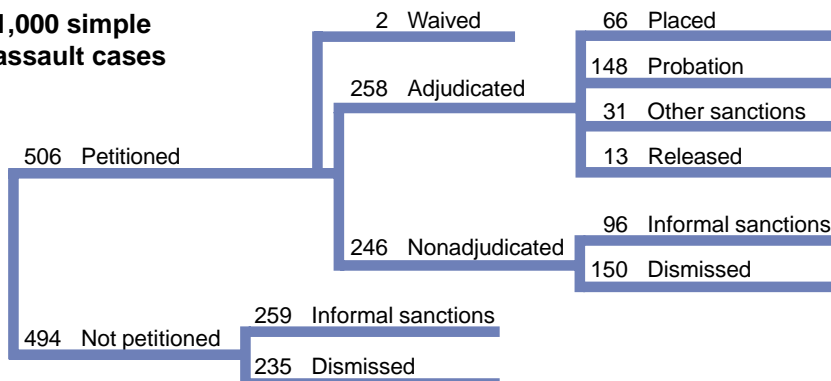
- Juvenile courts waived more than 40 in 1,000 robbery cases to criminal court in 1996.
- Juvenile courts ordered formal sanctions or waived jurisdiction in more than half of robbery cases.
- Even cases in which the juvenile was not adjudicated delinquent may result in informal sanctions. Thus, juvenile courts imposed some sort of sanction in more than two-thirds of the robbery cases handled in 1996.

1,000 aggravated assault cases



- Juvenile courts waived more than 10 in 1,000 aggravated assault cases to criminal court in 1996.
- Juvenile courts ordered formal sanctions or waived about one-third of aggravated assault cases.
- Juveniles agreed to informal sanctions in one-quarter of aggravated assault cases.
- More than 60% of aggravated assault cases resulted in some sort of sanction or waiver to criminal court.

1,000 simple assault cases



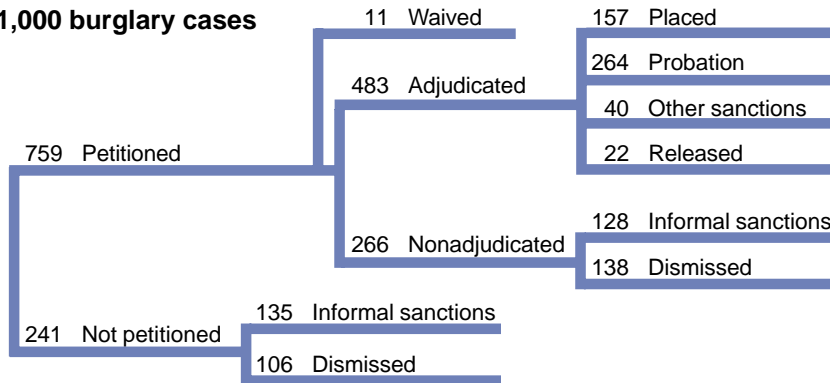
- Compared with aggravated assault cases, simple assault cases were less likely to result in court-ordered sanctions or waiver to criminal court.
- Of every 1,000 simple assault cases handled in 1996, more than 300 resulted in the youth agreeing to informal sanctions.

Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

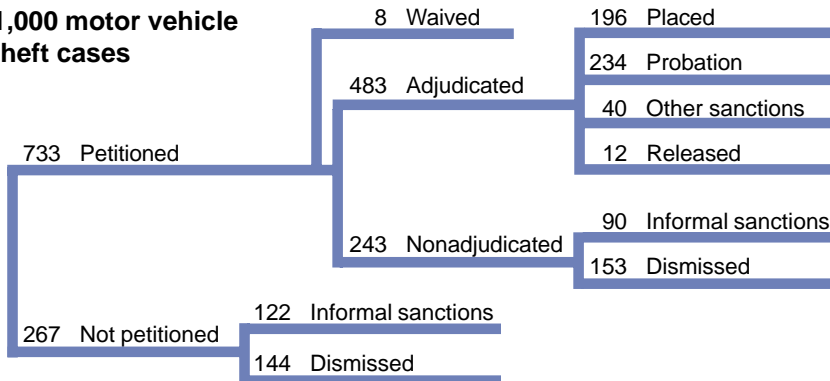
Property offenses showed substantial variation in juvenile court handling: vandalism cases were much less likely than burglary or motor vehicle theft cases to result in court-ordered residential placement

1,000 burglary cases



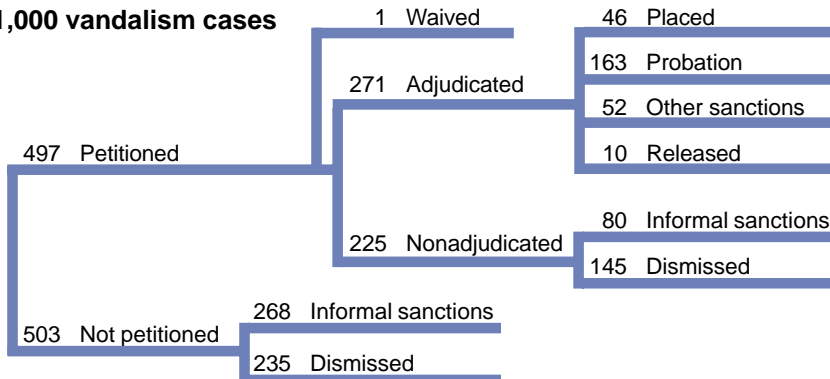
- The general property offense category contains a wide variety of offenses, some very serious (burglary) and some relatively minor (shoplifting or vandalism).
- Juvenile courts waived more than 10 out of 1,000 burglary cases to criminal court.

1,000 motor vehicle theft cases



- In nearly 200 out of 1,000 cases involving charges of motor vehicle theft, the youth was ordered to a period of residential placement.

1,000 vandalism cases



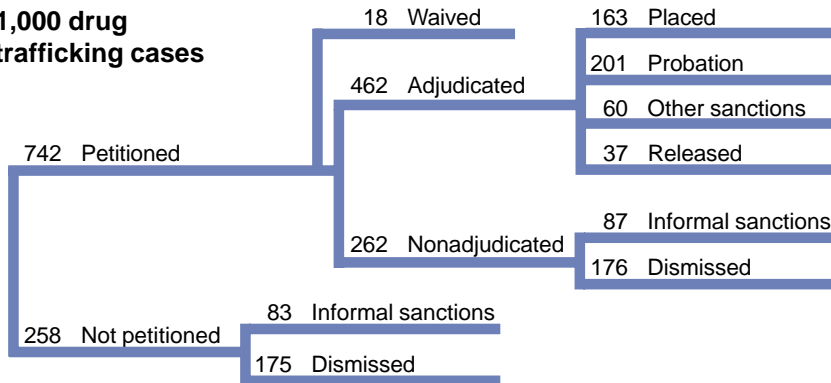
- Juvenile courts handled about 500 out of 1,000 vandalism cases informally (i.e., without a petition). Youth agreed to informal sanctions in 268 of these informal cases.
- Juvenile courts ordered sanctions such as community service and restitution in 52 out of 1,000 vandalism cases, compared with 40 out of 1,000 burglary or motor vehicle theft cases.

Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

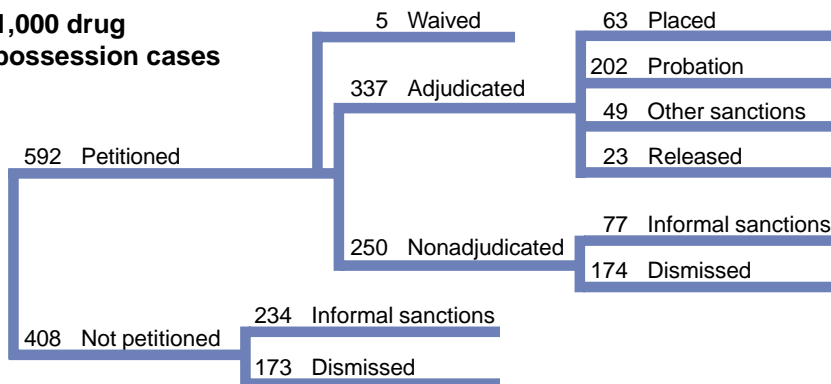
Drug trafficking cases were much more likely than drug possession cases to result in court-ordered residential placement

1,000 drug trafficking cases



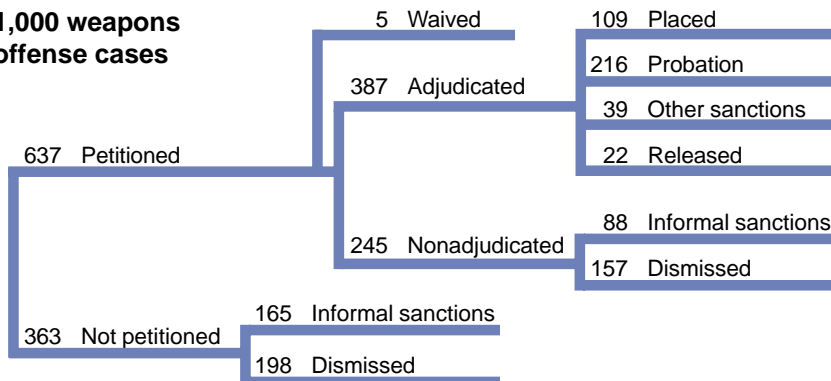
- Juvenile courts waived jurisdiction in 18 out of 1,000 drug trafficking cases in 1996.
- Juvenile courts ordered formal sanctions or waived jurisdiction in more than 4 out of 10 drug trafficking cases.

1,000 drug possession cases



- Juvenile courts handled nearly two drug possession cases for every drug trafficking case in 1996.
- Juvenile courts waived jurisdiction in 5 out of 1,000 drug possession cases.
- In more than 300 of 1,000 drug possession cases, youth agreed to informal sanctions. In many of these cases, the court referred the youth to other agencies for drug abuse counseling or other treatment services.

1,000 weapons offense cases



- Juvenile courts waived jurisdiction in 5 out of a typical 1,000 cases in which the most serious offense charged was a weapons law violation.
- Juvenile courts ordered formal sanctions or waived jurisdiction in nearly 4 in 10 weapons cases.

Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

Between 1987 and 1996, the juvenile court's formal status offense caseload more than doubled

What are status offenses?

Traditionally, status offenses were those behaviors that were law violations only if committed by a person of juvenile status. Such behaviors included running away from home, ungovernability (being beyond the control of parents or guardians), truancy, curfew violations, and underage drinking (which also applies to young adults up to age 20).

Some States have *decriminalized* some of these behaviors. In these States, the behaviors are no longer law violations. Juveniles who engage in the behaviors may be classified as dependent children, which gives child protective service agencies rather than juvenile courts the primary responsibility for responding to this population.

States vary in how they respond to status-offending behavior

The official processing of status offenders varies from State to State. In some States, for example, a runaway's entry into the official system may be through juvenile court intake, while in other States the matter may enter through the child welfare agency. This mixture of approaches to case processing has made it difficult to monitor the volume and characteristics of status offense cases nationally.

In all States, however, when informal efforts to resolve the status-offending behavior fail or when formal intervention is needed, the matter is referred to a juvenile court. In 1996, roughly 1 in 5 status offense cases that came to the attention of juvenile court intake or child welfare agencies was formally processed by the courts.

Compared with delinquency caseloads, status offense caseloads are small

Juvenile courts in the U.S. formally processed an estimated 162,000 status offense cases in 1996. These cases accounted for about 14% of the court's formal delinquency and status offense caseload in 1996. In 1996, juvenile courts formally processed approximately —

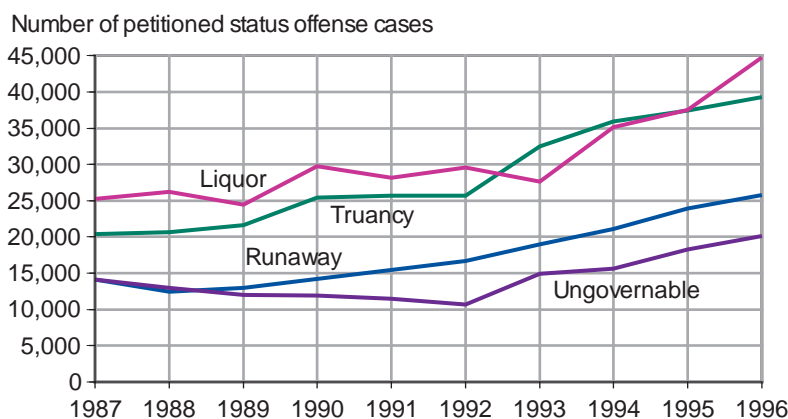
- 25,800 runaway cases.
- 39,300 truancy cases.
- 20,100 ungovernability cases.
- 44,800 status liquor law violation cases.
- 32,000 other status offense cases (e.g., curfew violations, smoking tobacco, and violations of a valid court order).

Compared with delinquency cases, status offense cases are less often referred by police

Law enforcement agencies referred 48% of the petitioned status offense cases processed in juvenile courts in 1996, compared with 86% of delinquency cases. Law enforcement agencies were more likely to be the referral source for status liquor law violation cases than for other status offense cases.

Most serious offense	Percent of cases referred by law enforcement	
	1987	1996
Status Offense	42%	48%
Running away	35	37
Truancy	17	10
Ungovernability	12	12
Liquor	88	93

The number of status offense cases formally processed by juvenile courts increased 101% from 1987 through 1996



- The degree of growth in formally processed status offense cases from 1987 through 1996 varied across the major offense categories: truancy (92%), running away (83%), status liquor (77%), and ungovernability (42%).
- In 1996, juvenile courts formally processed 5.7 status offense cases for every 1,000 juveniles age 10 through the upper age of juvenile court jurisdiction.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

Females were involved in 4 in 10 status offense cases formally processed in 1996

Another major difference between delinquency and status offense cases is the proportion of cases that involve females. Although females were charged in only 23% of the delinquency cases formally processed in 1996, they were involved in 41% of status offense cases.

Most serious offense	Males	Females
Status offense	59%	41%
Running away	40	60
Truancy	53	47
Ungovernability	57	43
Liquor	69	31

The proportion of cases involving females varied substantially by offense. In fact, the majority of juveniles brought to court for running away from home in 1996 were female (60%).

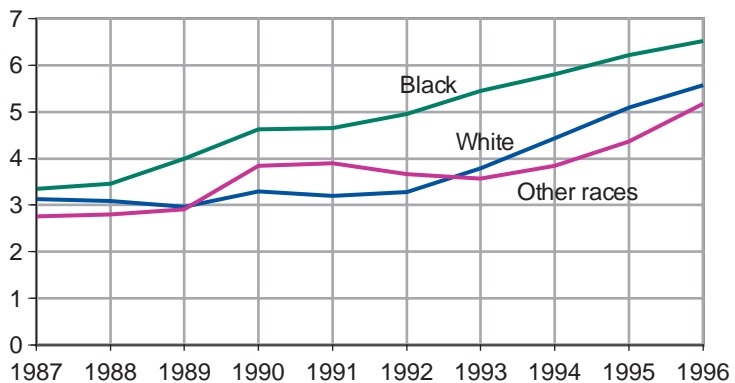
In 1996, youth were placed out of the home in 14% of all status offense cases adjudicated

Youth were adjudicated as status offenders in 52% of formally processed status offense cases in 1996. Of these cases, 14% resulted in out-of-home placement and 59% in formal probation. Another 24%, largely liquor law violation cases, resulted in other sanctions, such as fines, community service, restitution, or referrals to other agencies for services. The remaining 3% were released with no additional sanction.

Among status offense cases not adjudicated, 62% were dismissed, 26% resulted in informal sanctions other than probation or out-of-home placement, 11% resulted in informal probation, and less than 1% resulted in out-of-home placement.

Compared with delinquency case rates, there was less racial variation in formal status offense case rates

Petitioned cases per 1,000 juveniles ages 10–upper age

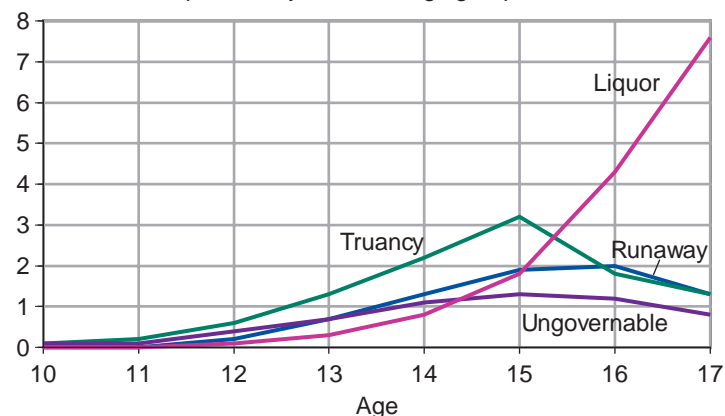


- Between 1987 and 1996, the overall case rate for petitioned status offense cases increased 78% for whites, 95% for blacks, and 87% for juveniles of other races.
- In 1996, the overall case rate for petitioned status offense cases was 6.5 for blacks, 5.6 for whites, and 5.2 for juveniles of other races.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

Case rates for most status offenses decline in the older age groups; liquor law violation case rates, however, increase substantially throughout the juvenile years

Petitioned cases per 1,000 juveniles in age group



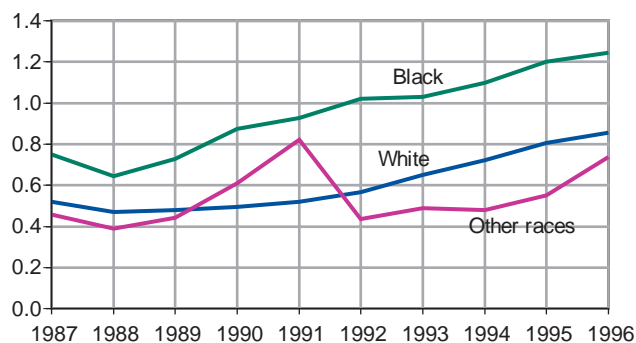
- In 1996, 15 was the peak age for truancy and ungovernability case rates. For runaway cases, case rates dropped off at age 17. The age-specific case rate patterns were not substantially different for males and females.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

From 1987 to 1996, case rates for black juveniles were consistently higher than case rates for whites or juveniles of other races for all status offense categories except liquor law violations

Runaway case rates

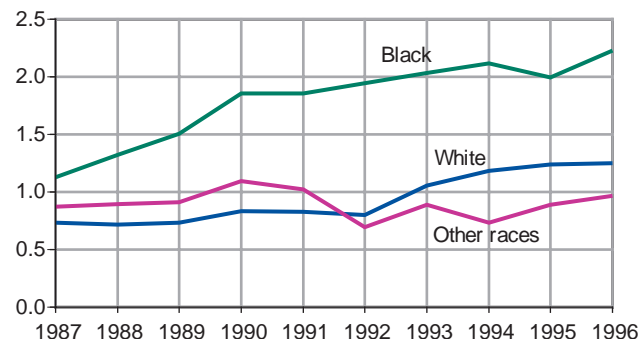
Petitioned cases per 1,000 juveniles ages 10–upper age



- Runaway case rates increased more than 60% for each racial group between 1987 and 1996.
- In 1996, the runaway case rate for black juveniles was nearly 50% greater than the rate for whites.

Truancy case rates

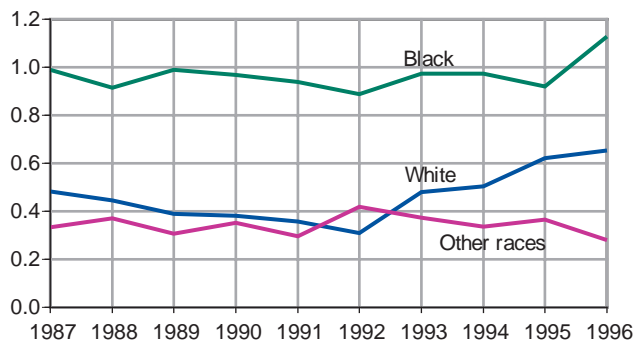
Petitioned cases per 1,000 juveniles ages 10–upper age



- Truancy case rates increased substantially for whites (70%) and for blacks (97%) between 1987 and 1996. For juveniles of other races, the 1996 truancy rate was 11% greater than the 1987 rate.

Ungovernability case rates

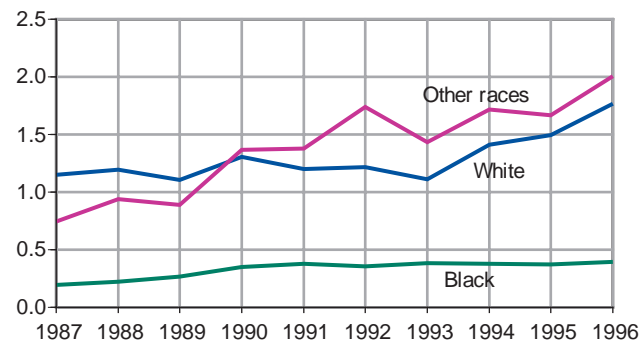
Petitioned cases per 1,000 juveniles ages 10–upper age



- Among whites, the rate for ungovernability cases rose 36% between 1987 and 1996, compared with 14% among blacks. Among juveniles of other races, the rate dropped 16%.
- In 1996, both the truancy and ungovernability case rates for black juveniles were about 75% greater than those for whites.

Liquor law violation case rates

Petitioned cases per 1,000 juveniles ages 10–upper age

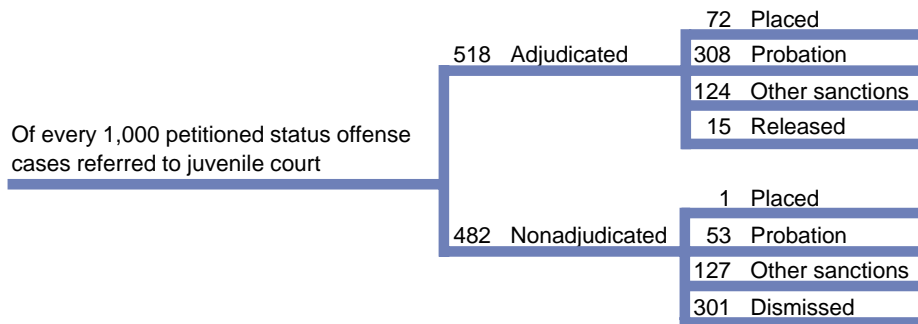


- There were increases among all races in the rate at which juveniles were formally processed for status liquor law violations.
- The liquor case rate rose 54% among whites and more than doubled among nonwhites.
- The case rate for status liquor law violations for whites was more than three times the rate for blacks in 1996.

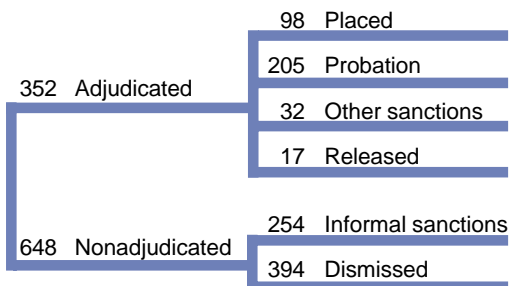
Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

How were petitioned status offense cases processed in juvenile court in 1996?

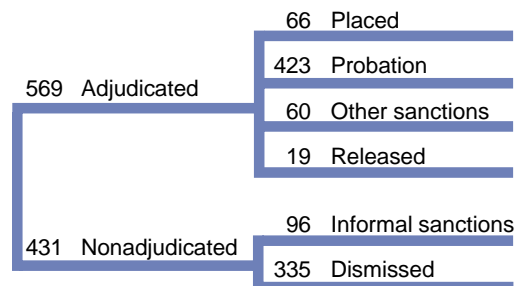
Of every 1,000 petitioned status offense cases handled in 1996, 308 resulted in formal probation and 72 resulted in residential placement following adjudication



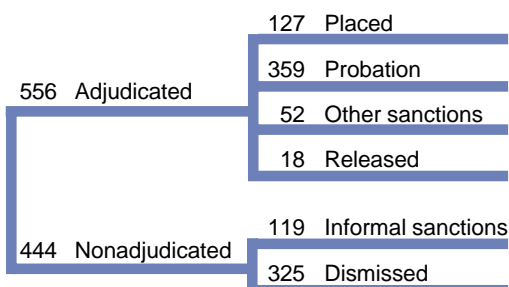
1,000 petitioned runaway cases



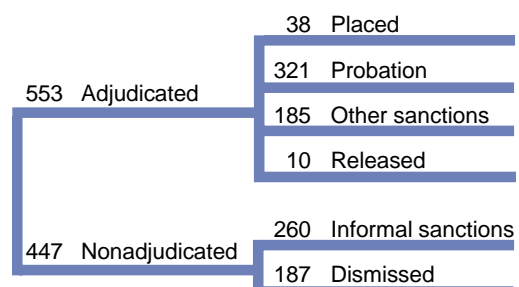
1,000 petitioned truancy cases



1,000 petitioned ungovernability cases



1,000 petitioned liquor law violation cases



Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of Stahl et al.'s *Juvenile court statistics 1996*.

The juvenile court's use of judicial waiver has changed over the past decade

In certain cases, juveniles may be tried in criminal court

Certain juveniles—those charged with serious offenses, those with lengthy records of prior offenses, or those who are unreceptive to treatment in the juvenile justice system—are sometimes transferred to criminal court. Most States have modified their laws in recent years to enable the transfer of more young offenders into the criminal justice system.

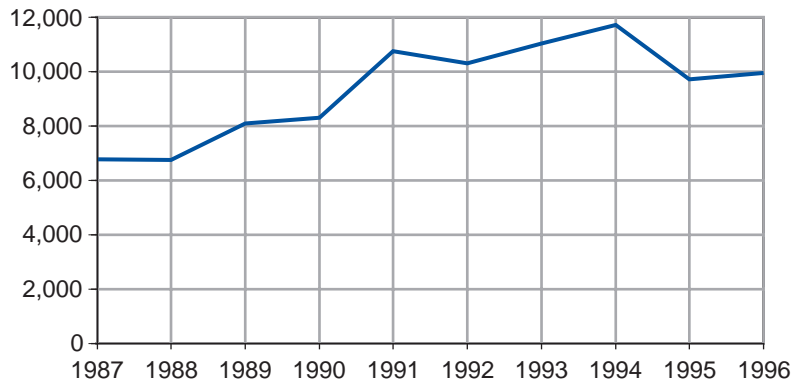
In a growing number of States, cases that meet certain age and offense criteria are excluded by statute from juvenile court jurisdiction and may be filed directly in criminal court. In some States, prosecutors have discretion to file certain juvenile cases directly in criminal court. In most States, laws also allow juvenile court judges to waive jurisdiction over cases meeting certain criteria. The criminal court then has responsibility to prosecute such cases. There are no national trend data on the number of young offenders moved into the criminal justice system directly via statutory exclusion or prosecutor decision (rather than by juvenile court waiver), but recent legislative trends suggest that the number must be growing.

The offense profile of waived cases has changed

In 1987, property offense cases accounted for 55% of judicially waived delinquency cases and person offense cases accounted for 28%. By 1995, the offense profile of waived cases had changed, with person offense cases accounting for 47% and property offense cases for 34% of waived cases. In 1996, however, waived property cases increased and waived person cases declined; as a result, person cases dropped to

Juvenile courts waived 47% more delinquency cases to criminal court in 1996 than in 1987

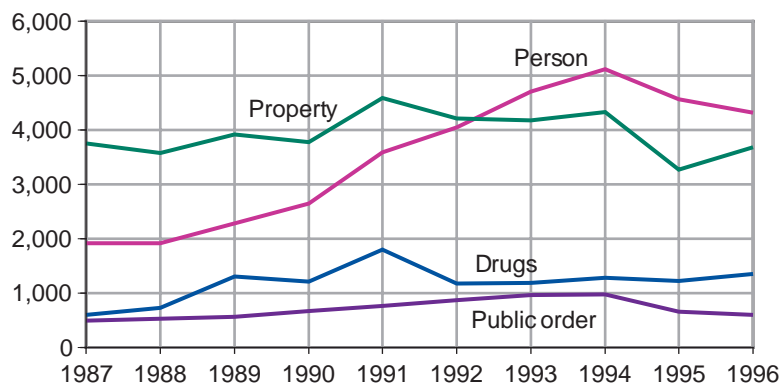
Delinquency cases judicially waived to criminal court



- Between 1987 and 1994, the number of delinquency cases judicially waived to criminal court grew 73% (from 6,800 to 11,700). By 1996, the number of cases was down to 10,000, a drop of 15%.
- One reason for the decline after 1994 was that a larger number of serious cases bypassed the juvenile justice system under newly enacted statutory exclusion and prosecutor discretion provisions.

Person offenses outnumbered property offenses among waived cases after 1992

Cases judicially waived to criminal court



- Waived person offense cases increased 167% between 1987 and 1994, then dropped 16% by 1996 for an overall increase of 125%.
- The number of waived drug cases peaked in 1991, 198% above the 1987 number. After 1991, waived drug cases declined 25%.
- The number of waived property and public order cases did not show much change between 1987 and 1996.

Source: Authors' adaptation of Stahl's *Delinquency cases waived to criminal court, 1987–1996*.

43% of waived cases and property cases increased to 37%. In comparison, drug and public order cases were a small proportion of waived cases in 1996 (14% and 6%, respectively).

Waived cases generally involve males age 16 or older

The demographic characteristics of judicially waived cases have changed somewhat over the past decade. The proportion of younger juveniles has increased. Despite this change, the vast majority of waivers involve males age 16 or older, although their proportion has diminished some. These older males accounted for 88% of all waived cases in 1987 and 81% in 1996.

Case characteristics	Percent of waived cases	
	1987	1996
Waived cases	6,800	10,000
Sex	100%	100%
Male	95	95
Female	5	5
Age at referral	100%	100%
15 or younger	7	12
16 or older	93	88
Race	100%	100%
White	57	51
Black	41	46
Other race	2	3

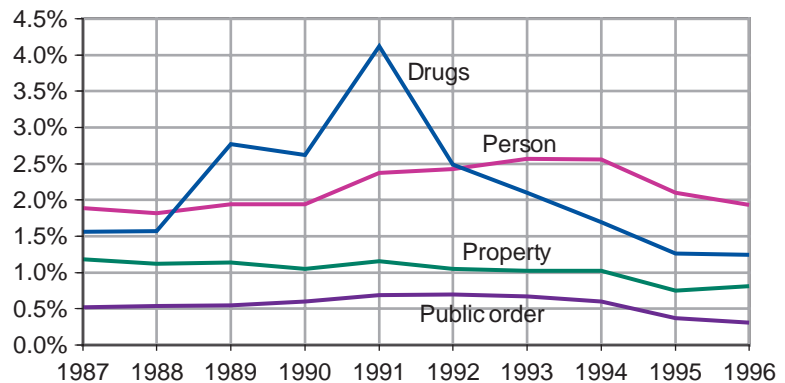
Judicially waived cases included a greater proportion of blacks in 1996 than in 1987. In 1987, black males accounted for 39% of waivers; by 1996, they accounted for 44%.

Waiver trends are related to trends in transfer provisions

Changes in the juvenile court's use of waiver, the characteristics of waived cases, and the volume of cases waived reflect changes in transfer provisions. For example, as

About 1% of formally processed delinquency cases are waived, but trends in the use of waiver vary by the most serious offense

Percent of petitioned cases judicially waived to criminal court



- The proportion of formal delinquency cases waived was 1.2% in 1987, peaked at over 1.5% in 1991, and dropped back down to 1.0% by 1996.
- From 1989 through 1992, drug offenses were more likely to be waived than were cases involving other offenses. The proportion of formally handled drug cases waived was over 4% in 1991.
- Person offense cases were more likely to be waived in 1996 than were other types of cases.

Source: Authors' adaptation of Stahl's *Delinquency cases waived to criminal court, 1987–1996*.

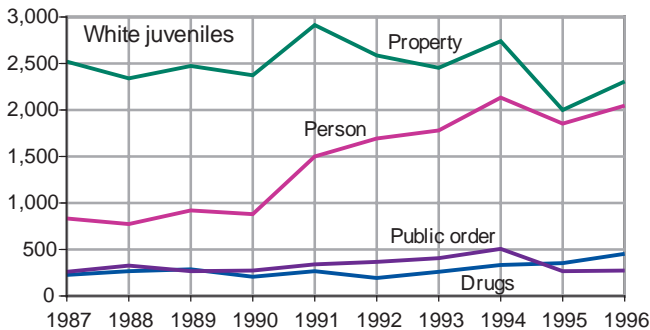
presumptive waiver for certain serious offenses has become more common across the country, such cases have had an increased likelihood of waiver. In addition, the recent decline in the volume of waived cases can be at least partially attributed to the proliferation of statutory exclusion provisions—many of the very serious cases that in the past came to juvenile court and were waived are now filed directly in criminal court.

Changes in the waiver caseload also result from changes in the delinquency caseload. For example, the growth in the total volume of the juvenile court's person offense caseload accounts for nearly all of the growth in waived person offense cases.

In addition, changes in the waiver caseload result from changes in the system's response to certain types of crimes. This explains the growth in waived person offense cases not accounted for by the growth in the person offense caseload. This effect is also seen in the use of waiver in drug cases. Following the introduction of crack cocaine and the subsequent "war on drugs," there was a change in the perceived seriousness of drug offenses (particularly drug trafficking). The likelihood of waiver among formally processed drug cases rose from 1.6% in 1987 to 4.1% in 1991. In 1991, the number of waived drug cases peaked at more than 1,800 despite the fact that the total number of formal drug cases was at a 4-year low.

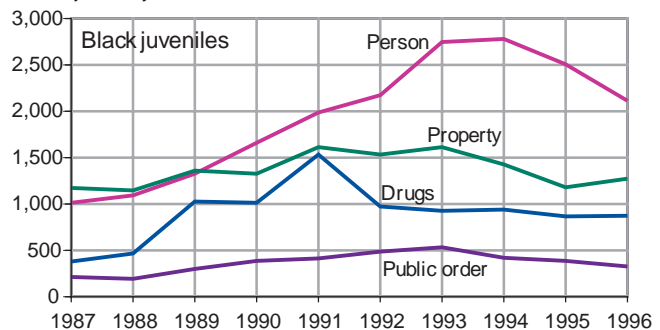
Both whites and blacks experienced a sharp increase in the number of person offense cases judicially waived to criminal court between 1987 and 1994

Cases judicially waived to criminal court



- Among whites, the number of property cases waived exceeded the number of person offense cases waived despite the 145% increase in waived person cases from 1987 to 1996. In comparison, among blacks, there were 66% more waived person cases than property cases in 1996.
- Among whites, there was little change in drug or public order cases waived over the past decade.

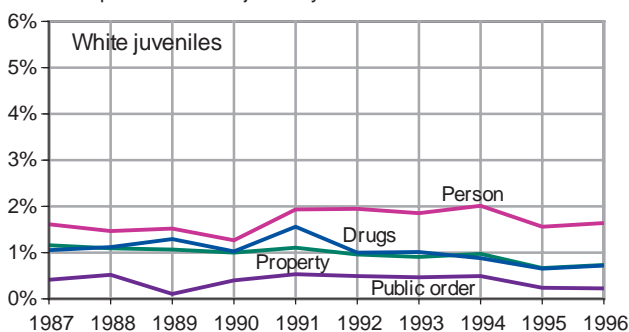
Cases judicially waived to criminal court



- Among blacks, the number of person offense cases waived rose 174% between 1987 and 1994. This increase in waived person cases was followed by a 24% drop through 1996.
- Among blacks, there was a steep increase in waived drug cases between 1987 and 1991. Waived drug cases dropped off after 1991, but have yet to return to the 1987 level.

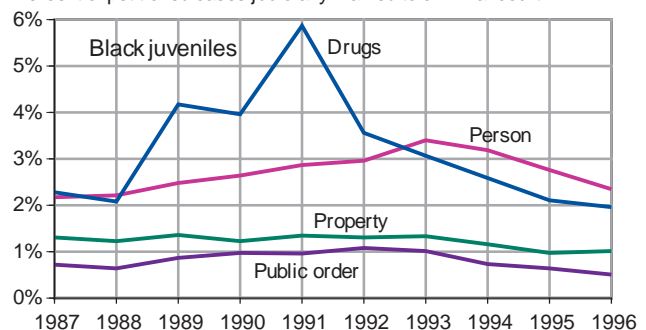
Racial differences in the likelihood of waiver stem primarily from differences in the use of waiver for person and drug offense cases

Percent of petitioned cases judicially waived to criminal court



- The likelihood of waiver is greater for black than for white juveniles across all four general offense categories. These data, however, do not control for racial differences in offense severity or in juveniles' offense histories.
- There has been little change in the proportion of cases waived for property or public order cases for either whites or blacks.

Percent of petitioned cases judicially waived to criminal court



- For blacks, the likelihood of waiver for person offense cases rose through 1993. This increase in the use of waiver was followed by a decline that left the likelihood of waiver in 1996 near the 1987 level.
- The use of waiver in drug cases involving black youth increased sharply after 1988, approaching 6% in 1991. By 1996, however, the likelihood of waiver had dropped below the 1987 level.

Source: Authors' analysis of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records 1987–1996* [machine-readable data files].

In the Nation's 75 largest counties, juvenile transfers to criminal court were 1% of all felony defendants

Bureau of Justice Statistics' State Court Processing Statistics show how criminal courts handle transferred juveniles

The Bureau of Justice Statistics' (BJS) State Court Processing Statistics (SCPS) compiles information on the processing of felony defendants in the State courts of the 75 largest counties in the U.S. Data are collected every other year on all felony cases filed on selected days during the month of May. The data represent cases processed in the 75 most populous counties. To obtain a large enough sample of juvenile transfers, 1990, 1992, and 1994 SCPS data were combined.

The SCPS includes only cases that involve offenses defined as felonies in State penal codes. Although the term "felony" is not uniformly defined or used across the country, it often is defined as a crime for which a convicted offender can be sentenced to more than 1 year in prison.

Juvenile transfers were inferred from offender and case characteristics

Juveniles transferred to criminal court were not specifically identified in the data collection but were inferred by BJS from case and offender characteristics. Transfer cases included the following:

- Offenders age 15 or younger at arrest in Connecticut, New York, and North Carolina, where the upper age of juvenile jurisdiction is 15 and all youth age 16 or older were considered adults.
- Offenders age 16 or younger at arrest in Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, South Carolina, and

Texas, where the upper age of juvenile jurisdiction is 16 and all youth age 17 or older were considered adults.

- Offenders age 17 or younger at arrest in the remaining 39 States and the District of Columbia, where the upper age of juvenile jurisdiction is 17 and all youth age 18 or older were considered adults.

Based on these age criteria, 1 in 4 defendants under age 18 was considered a juvenile by State law. These juvenile transfers represented about 1% of felony filings in the 75 largest counties.

7 in 10 female transfers were charged with person offenses

Females were 8% of all juvenile transfers. Over 70% of female transfers were charged with person offenses; 55% were charged with robbery. Given their proportion of transfers, females were overrepresented among robbery cases (13%) and underrepresented among assault cases (3%) and burglary cases (0%).

Black male transfers dominated many offense categories

Black males accounted for 7 in 10 transfers charged with person offenses. The percentage of black males varied across offenses:

- 65% of murder cases.
- 72% of rape cases.
- 78% of robbery cases.
- 61% of assault cases.
- 75% of drug cases.
- 66% of public order cases.

White males, however, accounted for the majority of burglary transfers (82%).

Most juveniles tried as adults in criminal court were black male person offenders

Offender characteristics	Percent of juvenile transfer felony defendants in criminal court
Age	100%
14 or younger	8
15	24
16	27
17	40
Sex	100%
Male	92
Female	8
Race	100%
White	31
Black	67
Other race	2
Offenses	100%
Person	66
Murder	11
Rape	3
Robbery	34
Assault	15
Property	17
Burglary	6
Theft	8
Drug	14
Public order	3

- About two-thirds of juveniles prosecuted in criminal courts in the Nation's 75 largest counties were charged with a felony person offense.

Note: General offense categories include offenses other than those displayed. Detail may not total 100% because of rounding.

Source: Authors' adaptation of Strom, Smith, and Snyder's State Court Processing Statistics, 1990–94: Juvenile felony defendants in criminal courts.

Half of transfers were released prior to disposition of their case

Just over half of juveniles prosecuted in criminal court made bail or were otherwise released from detention prior to the final disposition of their case (51%). Public order defendants were the least likely to be released, and property defendants were the most likely.

Most serious offense	Percent released before case disposition
All offenses	51%
Person	44
Murder	13
Rape	47
Robbery	55
Assault	47
Property	74
Burglary	66
Theft	75
Drug	63
Public order	19

Charges were dismissed in most transfers that were not convicted

In most cases where the transferred juvenile was not convicted in criminal court, it was because the charges against the defendant were dismissed: the prosecutor or the court dismissed charges in 1 in 4 transfers. Juveniles were acquitted in 2% of transfer cases, including 7% of murder cases and 11% of burglary cases. There were also a small number of cases in which the adjudication was deferred or the matter diverted. About 9% of transfers resulted in diversion or a deferred adjudication.

More than 6 in 10 transfers to criminal court were convicted

Most serious offense	Percent of juvenile transfer felony defendants convicted in criminal court				
	Total	Felony		Misdemeanor	
		Total	Plea		
All offenses	64%	59%	51%	8%	5%
Person	59	56	47	9	4
Murder	58	56	37	19	3
Rape	54	54	54	0	0
Robbery	58	56	48	8	2
Assault	63	53	46	7	9
Property	74	61	59	3	13
Burglary	77	64	64	0	13
Theft	76	59	54	6	16
Drug	70	68	56	12	2
Public order	91	91	91	0	0

■ Nearly two-thirds (64%) of juvenile transfers to criminal court in the 75 largest counties were convicted. The conviction rate was 66% for adults age 18 and older and 57% for adults younger than 18. In comparison, 58% of formal delinquency cases were adjudicated.

■ Nearly all of the transfer convictions were for felonies. Conviction rates were highest for public order offenses (91%) and lowest for person offenses (59%).

Note: General offense categories include offenses other than those displayed. Detail may not add to totals because of rounding.

Sources: Authors' adaptation of Strom, Smith, and Snyder's State Court Processing Statistics, 1990–94: Juvenile felony defendants in criminal courts.

More than half of juveniles transferred to criminal court pleaded guilty

Defendants pleaded guilty to a felony in 51% of transfers. An additional 5% pleaded guilty to misdemeanors. A bench or jury trial was held in 10% of transfer cases adjudicated within 1 year; 4 in 5 of these trials ended in guilty verdicts, and the others ended in acquittal.

Most convicted defendants were convicted of the original arrest charge, regardless of the adjudication method. This was especially true for person offenders: for example, 87% of those charged with robbery and later convicted were convicted of the original charge.

Most transferred juveniles convicted of felonies in the 75 largest counties were sentenced to prison

In the 75 largest counties, nearly 7 in 10 convicted transfers were sentenced to incarceration

Most serious adjudication or conviction offense	Total	Percent of convicted transfers incarcerated			Percent of convicted transfers not incarcerated		
		Total	Prison	Jail	Total	Probation	Fine
All offenses	100%	68%	49%	19%	32%	31%	1%
All felonies	100	69	52	16	31	30	1
Person	100	79	68	11	21	21	0
Murder	100	100	100	0	0	0	0
Rape	100	100	25	75	0	0	0
Robbery	100	75	69	6	25	25	0
Assault	100	73	61	12	27	27	0
Property	100	57	32	25	43	40	3
Burglary	100	24	24	0	76	76	0
Theft	100	74	38	36	26	26	0
Drug	100	50	34	16	50	46	3
Public order	100	60	27	33	40	40	0
Misdemeanors	100	62	5	57	38	32	6

- Transfers convicted in criminal court of person offenses were more likely to be sentenced to some sort of incarceration and less likely to be ordered to a period of probation supervision than transfers convicted of other offenses.
- Criminal courts rarely imposed alternative sanctions (i.e., dispositions other than incarceration or probation).

Note: General offense categories include offenses other than those displayed.

Source: Authors' adaptation of Strom, Smith, and Snyder's State Court Processing Statistics, 1990–94: Juvenile felony defendants in criminal courts.

Technical note

The information on case processing of juveniles transferred to criminal court is drawn from two Bureau of Justice Statistics (BJS) data collection programs: State Court Processing Statistics and the National Judicial Reporting Program. Because the number of transfers is small relative to the volume of cases handled in criminal court, and because the handling of such cases varies significantly from State to State, developing national information on this population is extremely difficult.

Neither BJS data collection program was designed to provide information

on juveniles transferred to criminal court. Transfers have, therefore, been identified in these data sets by inference processes that used defendant age and State upper age of juvenile court jurisdiction.

Although these data sets overlap to some degree, each provides unique information. Because there are important differences between the two data sets in collection methods and in inferences made to identify transfers, readers are cautioned against directly combining data from these two data sets.

Convicted transfers were not always more likely to receive harsher sanctions than under-age-18 adults

Transferred juveniles accounted for 1% of convicted felons in 1994

The National Judicial Reporting Program (NJRP) compiles information on sentences that felons receive in State courts nationwide and on the felons' characteristics. Data are collected on a sample basis every other year. The 1994 data were collected on felony cases from a nationally representative sample of 300 counties. The term "felony" although not uniformly defined or used across the country, is often defined as crimes for which a convicted offender can be sentenced to more than 1 year in prison. As with the SCPS data, the Bureau of Justice Statistics (BJS) inferred transferred juveniles in NJRP data from case and offender characteristics.

According to BJS, 21,000 youth younger than 18 were prosecuted and convicted as adults for felonies in State courts in 1994. These under-18 convicted felons accounted for just over 2% of the more than

872,200 felons convicted in State courts in 1994.

About half of the convicted felons under age 18 were juveniles transferred to criminal court by statutory exclusion, prosecutor discretion, or judicial waiver. The other half were youth under 18 who were adults by State definition. After adjusting for cases where age at arrest was unknown, BJS estimated that nationwide 11,800 felony convictions resulted from transferred cases.

Offense profiles of under-18 felons differed from those of older felons

Person offenses were the conviction offense for a greater proportion of under-18 felons (40%) than of those age 18 or older (19%). This difference was attributable primarily to the robbery category: robbery was the conviction offense for 22% of under-18 felons, compared with 5% for felons 18 or older.

Drug offenses were the conviction offense for a greater proportion of felons age 18 or older (32%) than of those under 18 (19%). Among felons 18 or older, 3 were convicted of drug trafficking for every 2 convicted of drug possession. Among felons under 18, trafficking convictions outnumbered possession convictions nearly 3 to 1.

Half of convicted felons who were transferred juveniles were convicted of person offenses

In most States, provisions for transferring juveniles to criminal court target the most serious offenses and offenders. The result is that, compared with youth under 18 who were adults by State definition, transferred juveniles had a greater proportion of person offense convictions and smaller proportions of property and drug convictions.

Most serious conviction offense	Percent of convicted	
	Transferred juveniles	Under age 18 adults
All felonies	100%	100%
Person offenses	53	28
Murder/nonnegligent manslaughter	7	3
Rape	2	2
Robbery	28	17
Aggravated assault	16	12
Other person	1	1
Property offenses	24	31
Burglary	15	18
Larceny and motor vehicle theft	8	12
Fraud	1	1
Drug offenses	13	24
Possession	3	7
Trafficking	10	17
Weapons offenses	4	8
Other offenses*	6	9

*Includes nonviolent offenses such as receiving stolen property and vandalism.

Note: Detail may not add to totals because of rounding.

An estimated 27,000 juveniles were proceeded against in criminal court by prosecutors' offices nationwide in 1996

The 1996 National Survey of Prosecutors sponsored by the Bureau of Justice Statistics found that three-quarters of prosecutors' offices reported proceeding against juveniles in criminal court that year. This was an increase over 1994, when 59% of offices reported handling juvenile cases transferred to criminal court.

Overall, an estimated 27,000 juveniles were proceeded against in criminal court in 1996. Half of all offices said they proceeded against five or more juveniles in criminal court.

About a third of all offices reported having a specialized unit or design-

ated attorney(s) to handle juvenile transfer cases. Specialized units were more common for full-time, medium-sized offices (60%) than for large (50%), small (34%), or part-time (29%) offices.

Fewer than 12% of all offices reported having written guidelines about proceeding against juveniles in criminal court. Full-time large offices were more likely than other types of offices to have such written guidelines (56%). About 4 in 10 full-time medium offices, 1 in 10 small offices, and 1 in 17 part-time offices reported guidelines.

Transferred juveniles convicted of felonies were not necessarily more likely to be sentenced to prison than similarly charged under-18 felons who were adults under their State's definitions

Most serious conviction offense	Percent of convicted transferred juveniles					Percent of convicted felons under-age-18 adult (by State definition)				
	Total	Incarceration			Probation	Total	Incarceration			Probation
		Total	Prison	Jail			Total	Prison	Jail	
All felonies	100%	80%	63%	16%	21%	100%	66%	54%	11%	34%
Person offenses	100	88	78	10	12	100	77	73	5	23
Murder/nonnegligent manslaughter	100	99	97	2	1	100	99	97	1	1
Rape	100	90	84	6	10	100	96	85	11	5
Robbery	100	84	75	9	16	100	75	70	2	26
Aggravated assault	100	90	74	16	10	100	76	68	8	24
Other person offenses	100	86	71	14	14	100	36	36	<1	64
Property offenses	100	65	42	23	36	100	62	47	14	39
Burglary	100	65	46	18	36	100	70	65	6	30
Larceny and motor vehicle theft	100	64	36	28	36	100	50	21	29	50
Fraud	100	70	21	49	30	100	30	22	9	70
Drug offenses	100	70	45	25	30	100	56	47	9	44
Possession	100	65	37	28	35	100	40	31	9	60
Trafficking	100	71	47	24	29	100	63	54	9	37
Weapons offenses	100	69	49	20	31	100	72	47	25	28
Other offenses*	100	91	67	24	9	100	64	47	16	36

■ Transferred juveniles convicted of robbery, aggravated assault, other person offenses, larceny and motor vehicle theft, drug possession, or "other offenses" were more likely to be sentenced to prison than were under-18 adults with the same conviction offenses. For half of these offenses (robbery, other person offenses, and drug possession), prison sentences were longer for transferred juveniles than for under-18 adults.

■ For other offense categories (murder, rape, burglary, fraud, drug trafficking, and weapons offenses), however, under-18 adults were as likely as or more likely than transferred juveniles to receive prison sentences.

*Includes nonviolent offenses such as receiving stolen property and vandalism.

Note: Detail may not total 100% because of rounding.

Source: Authors' adaptation of Brown and Langan's *State court sentencing of convicted felons, 1994*.

Juvenile transfers who “do the adult crime” may do more than the “adult time”

The average maximum prison sentence for transferred juveniles convicted of felonies was 9¼ years

Most serious conviction offense	Mean maximum sentence length for convicted felons sentenced to prison (in months)		
	Transferred juveniles	Adults under age 18	Adults age 18 or older
All felonies	111	87	69
Person offenses	139	128	115
Murder/nonnegligent manslaughter	287	279	258
Rape	200	117	149
Robbery	139	107	112
Aggravated assault	75	102	81
Other person offenses	130	124	70
Property offenses	50	67	56
Burglary	52	68	67
Larceny and motor vehicle theft	45	62	45
Fraud	44	57	51
Drug offenses	80	58	60
Possession	66	42	48
Trafficking	83	62	66
Weapons offenses	66	62	46
Other offenses*	61	68	40

■ Average maximum prison sentences for transferred juveniles were sometimes substantially longer than maximum sentences imposed on felons under 18 who were adults in their State or for adults age 18 or older. Overall, transferred juveniles convicted of felonies and sentenced to prison were sentenced to an average maximum of 9¼ years. In comparison, under-18 adults had an average maximum of 7¼ years, and adults 18 or older an average maximum of 5¾ years.

* Includes nonviolent offenses such as receiving stolen property and vandalism.

Note: Means exclude sentences to death or life in prison. Detail may not add to total because of rounding.

Source: Authors' adaptation of Brown and Langan's *State court sentencing of convicted felons, 1994*.

Criminal courts sentenced juvenile transfers convicted of murder to longer prison terms than other convicted murderers

The average maximum prison sentences imposed for felony murder and nonnegligent manslaughter convictions were longer than sentences for other types of offenses. For those not sentenced to death or life in prison, juvenile transfers convicted of murder received longer sentences than their adult counterparts. On average, the maximum prison sentence imposed on transferred juveniles convicted of murder in 1994 was 23 years 11 months. This was 2 years and 5 months longer than the average maximum prison sentence for adults age 18 or older, and 8 months longer than the average maximum sentence for under-18 adults convicted of murder.

BJS did not estimate the number of juvenile transfers convicted of murder who were sentenced to death or life in prison. Across all age groups, however, 25% of all felons convicted of murder or nonnegligent manslaughter received life sentences, and 2% received death sentences. (For more information on death sentences imposed for crimes committed before age 18, see chapter 7.)

Juveniles who have long court histories or who injure victims are most likely to be waived to criminal court

Has the use of judicial waiver changed independently of changes in transfer laws?

Recent legislative changes have enabled prosecutors and juvenile court judges to send more youth into the criminal justice system. New research finds, however, that the volume and nature of juvenile waivers were changing prior to these legislative changes.

For example, a comparison of juvenile waivers in Pennsylvania in 1986 and 1994 found that, with no change in legislation and a 32% increase in juvenile violent crime arrests, the number of waivers doubled. Similarly, a study of cases considered for judicial waiver in South Carolina between 1985 and 1994 identified large changes in the use of waiver during a period when there were no changes to the transfer law. This study found that the number of waivers requested by prosecutors was relatively static from 1984 through 1990, tripled from 1990 to 1992, and by 1994 had nearly returned to the pre-1990 level.

Media reports on juvenile violence trends often characterize the juvenile court as lenient in its treatment of violent juveniles, and juvenile court judges as resistant to sending youth into the criminal justice system. New research, however, finds this not to be the case. The South Carolina transfer study found that juvenile court judges approved 8 in 10 transfer requests made from 1985 through 1994. A similar study of waiver in Utah from 1988 through 1995 found that judges there also approved 8 in 10 transfer requests.

The types of cases waived have changed since the mid-1980's

A comparison of cases judicially transferred to criminal court in Pennsylvania in 1986 and in 1994 (under the same statutory provisions) found differences in the nature of the offenses and in the court histories of the transferred youth.

Most serious offense	Offense profile of cases waived	
	1986	1994
Total	100%	100%
Robbery	26	16
Aggravated assault	14	31
Violent sex offense	6	2
Burglary	31	9
Theft	14	16
Drugs	6	22
Other	3	4

In addition to doubling in number since 1986, the 1994 transferred cases had a greater share of aggravated assault and drug cases and relatively fewer robbery and burglary cases. A smaller proportion of the cases in 1994 came from the State's largest urban center, Philadelphia. Compared with 1986, the cases waived in 1994 had a greater proportion of juveniles under age 17 (24% vs. 13%) and a greater proportion of juveniles with no prior formal probations (49% vs. 35%). Cases waived in 1986 and 1994 had similar proportions of youth with no prior adjudications (16% vs. 14%). Cases waived in 1994 were more likely to result in prison sentences than were 1986 waivers (43% vs. 27%). Thus, in Pennsylvania, both the type of youth waived and the case outcomes have evolved since the mid-1980's independently of changes in waiver provisions.

What effect do new exclusion laws have on case outcomes?

Prior to 1996, Pennsylvania had in place two types of transfer mechanisms: a broad waiver statute that allowed waiver for youth 14 or older charged with certain felonies, and a statute that excluded all juveniles charged with murder from juvenile court jurisdiction. In 1996, the State added a new set of exclusion provisions. Under the new law, youth are excluded from juvenile court jurisdiction if they:

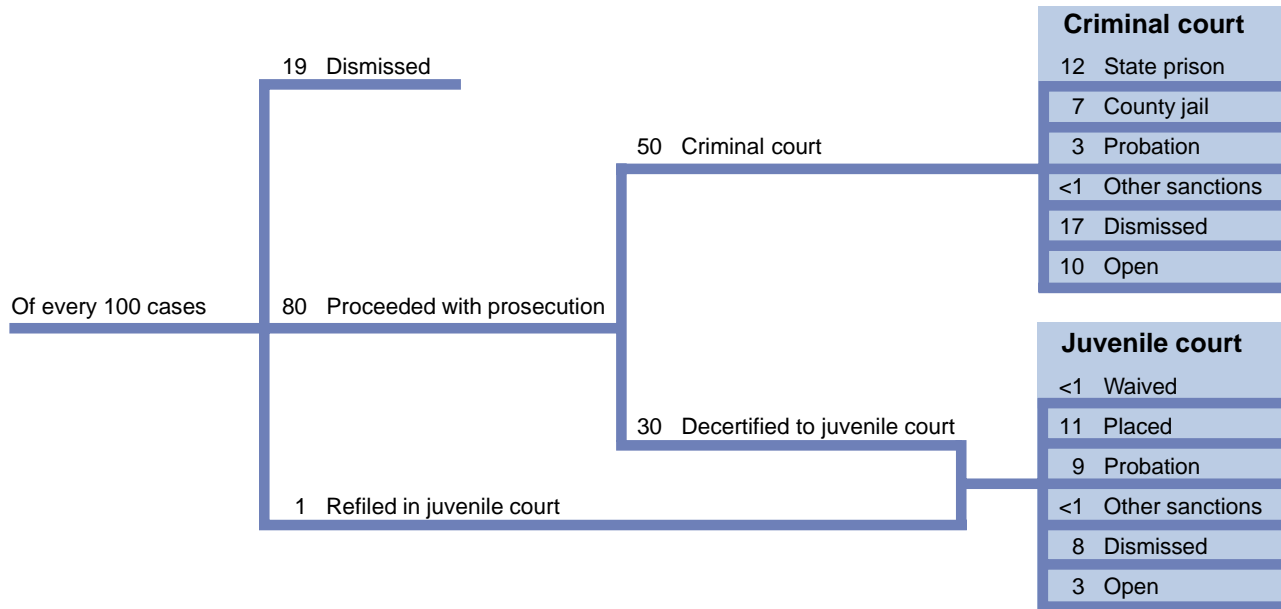
- Are age 15 or older *and*
- Are charged with certain violent offenses (such as robbery, kidnapping, violent sex offenses, or aggravated assault) *and*
- Committed the offense with a weapon or have been previously adjudicated of an excluded offense.

The new exclusion law targets a group of offenders that would have been eligible for transfer under the existing waiver statute, but the new exclusion law also transfers some cases that had a relatively low likelihood of waiver.

A study of court records for three Pennsylvania counties found that robberies and aggravated assaults each accounted for nearly 50% of the 1996 exclusions. Compared with the robbery and aggravated assault cases waived in 1994, cases excluded in 1996 under the new law included greater proportions of females (13% vs. 1%) and youth under age 17 (50% vs. 25%).

Excluded juveniles also had less significant juvenile court careers than did youth transferred in 1994. Of the 1996 excluded cases, 53% had no prior adjudications, compared with

Of every 100 delinquency cases originally excluded from juvenile court jurisdiction in three counties in Pennsylvania in 1996, about one-quarter resulted in criminal court conviction



- Of those cases that were disposed in the study period (i.e., not held open), 48% of criminal court cases and 39% of juvenile court cases resulted in the youth being confined in a secure facility.
- The juvenile court had the authority to transfer a certified case back to criminal court, but rarely chose to do so.
- Compared with youth who eventually were tried in criminal court, youth who were decertified to juvenile court were younger, less likely to have committed their crime with a firearm, more likely to have no serious prior juvenile court history, and less likely to have a prior court-ordered placement in a juvenile facility.

Note: Detail may not add to totals because of rounding. Data based on 473 excluded cases.

Source: Authors' adaptation of Snyder, Sickmund, and Poe-Yamagata's *The conversion of juvenile delinquents to adult criminals: Four studies of juvenile transfers to criminal court in the 1990's*.

7% of the cases waived in 1994. Fewer of the excluded youth had ever been placed on probation (36% vs. 48%), and fewer had any prior residential placements (28% vs. 68%).

Although the experiences in other States may differ, of all the cases excluded in Pennsylvania in 1996, 19% were dismissed at the preliminary hearings and 1% did not meet the criteria for exclusion and were

refiled in juvenile court. As a result, 80% of the excluded cases proceeded past the first phase of criminal court processing. Of those that proceeded deeper into the criminal justice system, more than one-third (38%) were transferred to juvenile court following a decertification hearing. In the end, just half of all excluded cases (50%) reached the point at which the youth could be convicted in criminal court.

Compared with the dispositional outcomes of cases that remained in criminal court, those that were decertified to juvenile court were less likely to remain open after a year and were less likely to be dismissed. The proportion of juvenile court dispositions involving residential placement (36%) was about the same as the proportion of criminal court dispositions involving incarceration (39%), although the nature

of such custody is arguably quite different.

Cases initially excluded from juvenile court jurisdiction in three Pennsylvania counties, 1996:

Disposition	Court imposing disposition	
	Juvenile	Criminal
Incarceration	36%	39%
State prison	–	24
County jail	–	15
Probation	28	7
Other sanction	1	<1
Dismissed	26	34
Open after 1 year	8	20

– Not applicable.

Of all the cases initially excluded from juvenile jurisdiction, 19% were ultimately sentenced to incarceration in an adult prison or jail following a criminal court conviction. In comparison, 77% of the cases waived from juvenile court to criminal court in 1994 resulted in prison or jail incarceration.

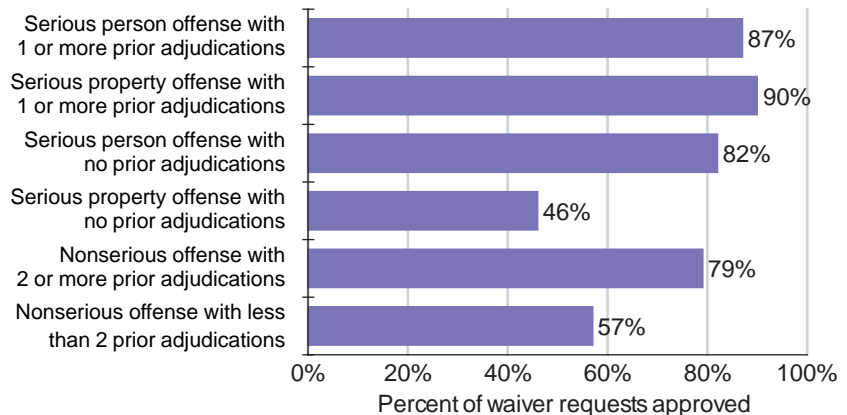
A comparison of the number of judicial waivers before and after implementation of the new Pennsylvania exclusion statutes shows that the decline in the number of judicial waivers roughly equals the number of excluded youth who were sanctioned in a criminal court under the exclusion statutes. Therefore, the impact of the exclusion statute was negligible if one simply considers the ultimate case outcomes. The exclusion statute, however, added to the processing time of cases that were eventually handled within the juvenile justice system and placed an additional burden on local jails and the criminal courts.

What explains the high use of waiver for offenders who have no prior adjudications?

Both the South Carolina and Utah studies found that substantial proportions of cases considered for waiver involved juveniles with no prior adjudications (72% in South Carolina and 82% in Utah). These high proportions of waiver approvals are explained by factors related to the crime incident.

In deciding if a case should be waived, prosecutors and judges have access to information on the circumstances surrounding the crime. That information has an impact on the transfer decision. Details such as the juvenile's use of a weapon, degree of injury suffered by any victims, whether the incident was gang-related, the presence of co-offenders, and the juvenile's relative involvement in the incident contribute to the perceived seriousness of the offense.

What case characteristics affect the transfer decision?



- Offense seriousness is a key factor in the transfer decision. Cases involving serious person offenses (murder, violent sex offenses, robbery, kidnapping, and aggravated assault) were more likely to be approved for waiver (85%) than other types of cases (73%), regardless of the youth's court history.
- In addition to offense seriousness, a juvenile's court history was a relevant factor in transfer decisions. Cases involving juveniles with prior adjudications were more likely to be approved for waiver to criminal court (83%) than were cases involving juveniles with no prior adjudications (72%).

Note: Data are South Carolina waiver requests for 1985–1994.

Source: Authors' adaptation of Snyder, Sickmund, and Poe-Yamagata's *The conversion of juvenile delinquents to adult criminals: Four studies of juvenile transfers to criminal court in the 1990's*.

When all of these incident and case characteristics were taken into consideration, some were found to be more important than others to the waiver decision. Analysis of the detailed case data from Utah found that the proportion of cases waived was significantly greater for cases involving juveniles who used a weapon *and* seriously injured one or more victims, even if the offender was a first-time offender, than for other cases, even those involving offenders with long court histories. Among the other types of cases, juveniles with long court histories (i.e., five or more formal cases) were significantly more likely to be approved for waiver than those with shorter court histories. Waiver requests were approved in:

- 87% of cases involving youth who used a weapon and seriously injured one or more victims.
- 81% of other cases involving youth who had five or more prior formal cases.
- 62% of other cases involving youth who had four or fewer prior formal cases.

Thus, cases involving the most serious offenses (with weapons and victim injury) do not require a long history of prior court involvement to achieve a high probability of waiver. In fact, this generally explains the relatively large proportion of waiver requests approved in Utah involving juveniles with no prior court involvement. Such cases are targeted for waiver because of the absolute seriousness of the current offense.

Do juvenile transfers to criminal court reduce recidivism?

Because transferred juveniles are generally more serious offenders, they would be expected to have higher recidivism rates than those handled in juvenile court. Consequently, a simple recidivism comparison with juveniles not transferred is unfair. To conduct a fair comparison, comparable groups of transferred and not transferred juveniles must be studied.

A study by Bishop and Frazier and their associates followed nearly 3,000 juveniles who were transferred to criminal court in Florida in 1987 and a control group of delinquents who remained in the juvenile system. The two groups were matched on several dimensions (offense category, prior offenses, age, sex, and race). A 1-year followup found that after adjustments were made for variations in "time at risk," transfers had higher rates of rearrest, more serious rearrest offenses, and shorter time to rearrest.

The researchers extended the followup period to nearly 6 years. Analysis showed that although juveniles who were not transferred eventually caught up with transfers in terms of the proportion who were rearrested, transfers who reoffended did so more quickly and more times on average than the comparison group of delinquents. Only transfers charged with felony property offenses were less likely to be rearrested than their juvenile court counterparts. Although transferred

property felons were less likely to reoffend, when they did they did so more quickly and more often. Again, the researchers concluded that transfer was more likely to aggravate recidivism than to stem it.

However, the fairness of the comparison groups has been questioned. Although the groups were matched on several dimensions, they may have differed in other important ways that relate to recidivism. For example, the groups were not matched on characteristics such as weapon use, victim injury, gang involvement, or drug use history. Because these characteristics were not matched, it is not fully known whether transfers were "more serious" offenders than their juvenile court counterparts. Therefore, it remains unclear whether reoffending was higher among transfers because, as a group, they were more serious offenders.

Researchers have yet to examine recidivism controlling for these more detailed matching factors. Consequently, while the imperfect evidence to date supports the conclusion that transfers are more likely to recidivate, until findings that compare recidivism for groups matched on these more detailed factors are available, the question cannot be definitively answered. Ongoing research, funded by OJJDP since 1995, incorporates these more detailed factors. Studies being conducted by Bishop, Frazier, and Lanza-Kaduce and by Fagan are examining closely matched comparison groups in Florida, New Jersey, and New York.

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